

9-28-71		Page No.
S-745-71	Amending Salary Ordinance to provide for <u>Program & Statistical Analyst.</u>	1
S-746-71	Approving contract w/ <u>INDUSTRIAL FUEL OILS, INC.</u> for #5 Fuel Oil.	1
S-747-71	Approving contract w/ <u>INDUSTRIAL PIPING & ENG. CORP.</u> for boiler for 3 Rivers Plant.	2
S-748-71	Approving purchase of real estate to widen <u>North Clinton Street</u>	3
S-749-71	Approving Agreement w/ <u>MICK & ROWLAND, INC.</u> for Eng. Service St. Joe Interceptor Sewer.	3
S-750-71	Approving contract w/ <u>BERCOT-GIBSON CONSTR CO.</u> for Blackhawk Jr.High School sewer	4
R-123-71	Authorizing <u>payment for repairs</u> to car damaged by City-owned vehicle.	5
R-124-71	Authorizing <u>payments for repairs</u> to Ft.Wayne Police Academy.	5
R-125-71	Authorizing <u>temporary advancement of funds</u> to various depts. for period ending 12/31/71	6
10-12-71		
Z-153-71	Amending City of Fort Wayne Zoning Map No. CC-14 (Waynedale Branch Library Site)	7
Z-154-71	Amending City of Fort Wayne Zoning Map No. G-9 (Karen Ave.)	8
Z-155-71	Amending City of Fort Wayne Zoning Map No. AA-5 (Fifth & Cass St.)	9
S-751-71	Approving contract w/ <u>BULMAHN EXCAVATING</u> -storm drain in Scottsville-Elmcrest Addition.	9
S-752-71	Approving contract w/ <u>BERCOT-GIBSON CONSTR. CO.</u> for main sewer & laterals,Smith & Colerick	10
S-753-71	Change Order w/ <u>EARTH CONSTR. & ENG.</u> -elimination of Decatur Rd. lift station.	11
S-754-71	Approving bid document w/ <u>PASS ELECTRIC</u> for traffic signal Gary St. & Tillman Rd.	11
R-126-71	Resolution in MEMORY OF <u>JOHN H. ROBINSON.</u>	12
10-26-71		
Z-156-71	Amending City of Fort Wayne Zoning Map No. C-12	13
G-124-71	Amending Section 110 of Article XII of Chapter 31 of Municipal Code " <u>Standing or Parking Close to Curb</u> ".	13
S-755-71	Approving purchase of real estate to widen <u>North Clinton Street</u>	14
S-756-71	Approving Bid Document w/various contractors for <u>Emergency Snow Removal Equip.Rental</u>	15
S-757-71	Approving contract w/ <u>WESTINGHOUSE ELEC SUPPLY CO.</u> for 60 American Concrete Poles for Light Construction Dept.	16
G-125-71	Amending Genl. Ord. G-97 by authorizing <u>vacation of public alleys</u> between Bowser and Holton Aves. and between Main and Columbia Sts.	16
R-127-71	Authorizing <u>payment for repairs</u> to ventilator shaft cover.	17
R-128-71	Authorizing <u>payment for repairs</u> to City owned vehicle.	18
11-9-71		
S-758-71	Approving contract w/ <u>WAYNE ASPHALT & CONSTR. CO.,INC.</u> for resurfacing Calhoun St.	19
S-759-71	Approving contract w/ <u>JOHN DEHNER, INC.</u> for paving Abbott Street.	19
S-760-71	Approving bid document w/ <u>BELL & HOWELL COMMUNICATION CO.</u> -equip. for Police Dept.	20
S-761-71	Approving contracts w/ <u>NORTHILL CORP.</u> and <u>ENVIRONMENTAL PROPERTIES</u> for Fire Protection Service (<u>Canterbury Green</u>)	21
R-129-71	Nominating <u>trustee</u> as memb of <u>Ft.Wayne Dept. of Redevelopment</u>	21
R-130-71	Authorizing City to make application to U.S.Dept. of Housing & Urban Development for grant in connection with <u>repair to Hurshtown Reservoir.</u>	22
R-131-71	Authorizing <u>payment for repairs</u> to City owned vehicle.	23
11-23-71		
S-762-71	Approving purchase of real estate for <u>widening North Clinton Street.</u>	24
S-763-71	Approving contract w/ <u>SCHEELE CONSTR. CO., INC.</u> for construction of Branch Sewer Gladstone Dr. and So. Anthony Blvd.	24
S-764-71	Approving contract w/ <u>GENERAL ELEC CO.</u> for network Transformers and Protectors for Fine Arts Center and Freimann Park.	25
X-38-71	Repealing Annexation Ordinance No. X-19-68 (<u>Lake Forest & Blackhawk Addns.</u>)	26
G-126-71	Amending General Ord. No. G-97 <u>vacation of alley west of Griswold Drive</u> and South of Anderson Ave.	26
G-127-71	Amending General Ord. No. G-97 - <u>vacation of portion of Dock Street.</u>	27
G-128-71	Amending General Ord. No. G-97 - <u>vacation of public alleys</u>	28
G-129-71	Amending General Ord. No. G-97 - <u>vacation of public streets and alleys</u>	29

<u>12-14-71</u>		
G-130-71	Amending Chapter 36, Section 24(D) (ZONING) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended	34
G-131-71	Amending Section 7(2) and Section 23 of Chapter 28A (SUBDIVISIONS) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended.	35
G-132-71	Amending General Ord. No. G-97 by authorizing the vacation of a portion of <u>Darrow Avenue</u> .	36
G-133-71	Amending certain Schedules of Chapter 31 (Traffic) of the Municipal Code of the City of Fort Wayne Indiana, 1946, as amended by General Ord. No. 2726 adopted December 22, 1953.	36
Z-157-71	Amending the City of Fort Wayne Zoning Map No. C-15 (N.E. Corner <u>Parnell</u> & Old <u>California Rd.</u>)	30
Z-158-71	Amending the City of Fort Wayne Zoning Map No. G-8. (<u>Mobile Home Park Hoevel & Meyer Rds.</u>)	32
Z-159-71	Amending the City of Fort Wayne Zoning Map Nos. DD-16 and DD-18 (<u>Alma Ave.</u>)	33
Z-160-71	Amending the City of Fort Wayne Zoning Map No. E-11 (<u>Hobson Road & Varsity Ave Lane</u>)	33
S-765-71	Approving payment to <u>JAMES E. HARDING</u> for appraisal fees and expenses in connection with <u>North Clinton Street Project ST-414"C"</u> .	38
S-766-71	Approving bid document ref. No. 424 w/ <u>ALLEN COUNTY MOTORS, INC.</u> for 2 trucks and w/ <u>JERRY WATSON FORD, INC.</u> for 1 truck for the Traffic Engineering Department.	39
S-767-71	Approving contract w/ <u>WAYNE ASPHALT & CONSTR. CO., INC.</u> for resurfacing Northlawn Drive.	40
S-768-71	Approving Resolution of Board of Public Works in connection with contract with <u>NATIONAL SERV-ALL</u> .	40
R-132-71	Authorizing the transfer of funds within the 1971 Budget of the <u>Metropolitan Human Relations Comm.</u>	42
R-133-71	Approving contract between City of Fort Wayne and <u>LAWRENCE-LEITER & CO.</u> to provide consulting services in connection with Community Renewal Program.	42
R-134-71	Approving application of City of Fort Wayne for recertification of <u>Workable Program</u> for Community Improvement for the next two years.	43
R-135-71	Authorizing payment for repairs to City-owned building.	44
<u>12-28-71</u>		
Z-161-71	Amending the City of Fort Wayne Zoning Map No. A-9. (<u>Clinton North of State</u>)	45
Z-162-71	Amending the City of Fort Wayne Zoning Map No. E-23. (<u>Leo Rd. south of Swift Drive</u>)	46
Z-163-71	Amending the City of Fort Wayne Zoning Map No. A-9. (<u>n.e. corner Clinton & Dunwood Drive</u>)	46
X-39-71	Annexing certain territory to the City of Fort Wayne and including same in Councilmanic District No. 2 (<u>Lake Forest Addition</u>)	47
S-769-71	Approving bid document Ref. No. 427 w/ <u>ALLEN COUNTY MOTORS, INC.</u> for 3 sedans and w/ <u>POINSATTE MOTORS, INC.</u> for 4 sedans for the Board of Public Safety, Police Department.	48
S-770-71	Approving Bid Document Ref. No. 429, Item 1, w/ <u>MEEK MACK, INC.</u> for lease purchase contract for 2 Pumpers for the Fire Department.	49
S-771-71	Approving contract w/ <u>GRAYBAR ELECTRIC CO.</u> for Drop Wire for Light Construction Dept.	50
S-772-71	Approving Agreement to Purchase Real Estate in connection with <u>Harvester Ditch Flooding Project</u> .	50
S-773-71	Approving Amendments to contract w/ <u>INDIANA SUBURBAN SEWERS, INC.</u>	51
S-774-71	Approving contract with the State of Indiana (Indiana State Highway Commission) for Vehicle Detectors, (<u>T.O.P.I.C.S.</u>) Indiana Project T-6002-(6).	52
S-775-71	Approving Change Order No. 1 w/ <u>HIPSKIND ASPHALT CORP.</u> in connection with Street Improvement Resolution No. 5577-1970, State Blvd. from Coliseum Blvd. to Reed Road.	53
S-776-71	Approving contract w/ <u>I.B.M. CORPORATION</u> for alternation of I.B.M. 1801 Computer for the Traffic Engineering Department.	53
S-777-71	Approving Change Order No. 1 w/ <u>BERCOT-GIBSON CONSTRUCTION CO.</u> in connection with Sewer Resolution No. 830-1970, Bluffton Road-Engle Road.	54
S-778-71	Approving Bid Document Ref. No. 429, Item 2, w/ <u>AMERICAN LAFRANCE, DIVISION OF A-T-O INC.</u> for lease purchase contract for one 100 foot Aerial Ladder, Fire Apparatus.	55
G-134-71	Providing for a review of <u>filling station zoning</u> by the Plan Commission and declaring a moratorium on such rezoning pending such review.	56
G-135-71	Amending General Ord. No. G-97 by authorizing vacation of public street in <u>Centlivre Park Add.</u>	56
R-136-71	Authorizing payment for repairs to City-owned vehicles and property.	57

<u>1-11-72</u>		
G-01-72	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of <u>Barr Street</u> .	58
S-01-72	AN ORDINANCE approving contract with <u>WESTINGHOUSE ELECTRIC SUPPLY CO.</u> for Copper Network Cable for the Light Construction Department.	59
S-02-72	AN ORDINANCE approving contract with <u>GLADIEUX REFINERY, INC.</u> for #2 Gas Turbine Fuel Oil.	59
S-03-72	AN ORDINANCE approving contracts with <u>MIDWEST AGGREGATES CO., INC.</u> , <u>CANYON SAND & GRAVEL CO.</u> , <u>MAY STONE & SAND, INC.</u> , <u>PAUL C. BRUDI STONE & GRAVEL CO.</u> and <u>PERFECTION GRAVEL, INC.</u> for the City's requirements of various aggregates for the year 1972.	60
S-04-72	AN ORDINANCE approving Agreement with <u>MACKE DEVELOPMENT CORPORATION</u> for construction of sanitary sewer for Fox Point Apartments Area.	61
<u>S-05-72</u>	AN ORDINANCE approving contract with <u>L. W. DAILEY, INC.</u> for paving Dodge Avenue.	62
<u>1-25-72</u>		
Z-01-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-10.(Doan & Calhoun St.)	62
S-06-72	AN ORDINANCE approving Agreement for Sewer Extension between <u>MARATHON OIL COMPANY</u> and CITY OF FORT WAYNE, for sanitary sewer extension known as Hobson Road - State Road 37 sanitary sewer.	63
S-07-72	AN ORDINANCE amending Special Ordinance No. S-686-71 by approving an Amended Agreement for Sewer Extension between <u>GALLMEYER REALTY COMPANY</u> and CITY OF FORT WAYNE, for sanitary sewer extension to serve the new Industrial Park in the area of Hadley Road and Bass Road.	64
G-02-72	AN ORDINANCE repealing General Ordinance No. G-118-71. (<u>Curfew Ordinance</u>)	65
R-01-72	RESOLUTION stating meeting dates and places of the Common Council in Councilmanic Districts.	65
R-02-72	RESOLUTION authorizing payment for repairs to a cement culvert at Director's and Secretary Avenue.	66
<u>2-8-72</u>		
G-03-72	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of the first alley north of Superior Street.	67
R-03-72	RESOLUTION approving Memorandum of Understanding between City of Fort Wayne and Department of Housing and Urban Development.	68
R-04-72	A RESOLUTION concerning an application for a Model Public Personnel Program to be funded through the intergovernmental Personnel Act Program.	69
R-05-72	RESOLUTION concerning a grant application for a Mayor's Secretariat Staff to the Area III, Manpower Area Planning Council.	69
R-06-72	RESOLUTION approving cancellation of contract between City of Fort Wayne and <u>LAWRENCE-LEITER AND COMPANY</u> to provide consulting services in connection with Community Renewal Program and further approving contract between City of Fort Wayne and <u>CITY PLANNING ASSOCIATES, INC.</u> for the same purpose.	70
<u>R-07-72</u>	RESOLUTION authorizing payment for repairs to City-owned air conditioning condensing unit.	72
<u>2-22-72</u>		
S-08-72	AN ORDINANCE approving the creation of a certain appointive office and amending Special Ordinance No. S-713-71 by fixing the salary for such appointive office for the year 1972.	73
S-09-72	A SPECIAL ORDINANCE approving the creation of a certain appointive office and amending Special Ordinance No. S-713-71 by fixing the salary for such appointive office for the year 1972.	74
S-10-72	AN ORDINANCE approving Agreement for Sewer Improvement between Scheele Construction Company, Inc., and City Of Fort Wayne, for sanitary sewer improvement at Orchard Lane and Waynedale Boulevard.	75
S-11-72	AN ORDINANCE approving Agreement for Sewer Extension between Riviera Plaza, Inc. and City of Fort Wayne, for sanitary Sewer extension of the St. Joe Interceptor, Division IV.	75
S-12-72	AN ORDINANCE approving Water Contract No. 7137 between MINI-MANSIONS PARK and FORT WAYNE WATER UTILITY for Main on the Dunkelberg Road from Bluffton Road.	76
S-13-72	AN ORDINANCE approving Chang Order No.1 with Hipskind Asphalt Corporation in connection with Street Improvement Resolution No. 5601-1971, improving Reed Road.	77
Z-02-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-19.	77
Z-03-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-14.	79
Z-04-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-5.	79

<u>2-22-72</u>		
Z Defeated 2-22-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No.A-8	80
R-08-72	RESOLUTION authorizing payment of a claim as a result of injuries to Merlyn Brahier, an employee of the Street Department.	81
R-09-72	RESOLUTION authorizing payment for repairs to the guard rail at 2831 Clintion Street	82
R-10-72	RESOLUTION authorizing payment for repairs to the guard rail at West Main Street and Lindenwood Avenue.	82
R-11-72	RESOLUTION authorizing payment for repairs to the brick ornamental post at the corner of Sandpoint Road and Allegany Road.	83
R-12-72	RESOLUTION authorizing the temporay advancement of funds from the St. Marys River Impounding Fund, Sewer Relief Fund and the Park Cumulative Building Fund to the Civil City General Fund, Park General Fund, and Police Pension Fund for the period ending June 30,1972.	84
<u>3-14-72</u>		
R-13-72	RESOLUTION concerning the construction of a Regional Correctional Center	84
R-14-72	RESOLUTION authorizing filing of application with the Department of Housing and Urban Development, United States of America for a grant under Public Law 89-117	85
R-15-72	RESOLUTION authorizing transfer of funds within the 1972 Budget of the City Controller	86
R-16-72	RESOLUTION authorizing the temporay advancement of funds from the Sewer Relief Fund, Cumulative Capital Improvement Fund, Inner City Storm Relief Plan Fund, Local Road and Street Account Fund, Park Cumulative Fund, Park Trust Fund, Sanitary Officer's Pension Fund, and Flood Prevention and River Improvement Fund (funds) to the Civil City General Fund, Park General Fund, Police Pension Fund, and Fire Pension Fund (funds) for the period ending December 31, 1972.	87
Z-05-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-19.	88
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No..C-12	89
G-04-72	GENERAL ORDINANCE pertaining to the construction of establishments for the sale of gasoline and/or diesel fuel	89
<u>3-28-72</u>		
S-14-72	AN ORDINANCE approving a certain bid document with Thomas Custom Tailors for Communications Uniforms	90
R-17-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	91
R-18-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	92
R-19-72	Resolution authorizing payment for repairs to City-owned vehicle.	93
R-20-72	RESOLUTION concering the abandonment of the Fort Wayne Board of Public Health and its integration into the Fort Wayne-Allen County Health Department	93
<u>4-11-72</u>		
S-15-72	AN ORDINANCE approving a certain bid document with Van Ausdall & Farrar, Inc. for Magnetic Card Selectric Typewriter	94
S-16-72	AN ORDINANCE approveing a contract with HARLEY-GRAHAM, INC. for one Steel Building for Lakeside Substation.	95
S-18-72	AN ORDINANCE approving a certain bid document with Gladioux Refinery, Inc. for estimated annual requirements of waste oil for alley treatment.	96
S-17-72	AN ORDINANCE approving Change Order No. 1 with Scheele Construction, Inc. in connection with Sanitary Sewer Improvement Resolution No. 885-1971 in the area of Orchard Lane and Waynedale Boulevard.	96
S-19-72	CREATION OF THE FORT WAYNE WAYNE ECONOMIC DEVELOPMENT COMMISSION	96A
G-05-72	AN ORDINANCE amending Chapter 1, Section 9 of the Municipal Code establishing colors of the City Seal.	97
G-06-72	AN ORDINANCE amending certain Schedules of Chapter 31, of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.	98
G-07-72	AN ORDINANCE concerning increases in the electric rates and charges for electric energy furnished for public, doestic, commercial and industrial purposes by the Fort Wayne City Light and Power Works to customers and patrons in the City of Fort Wayne, Indiana and in areas contiguous to said City.	100
G-DEFEATED	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain public street and alley in the Third Street area.	101

4-25-72		
S-22-72	AN ORDINANCE approving a certain bid document with GARDEN & TRUF SUPPLY CORPORATION for Organic Fertilizer and Homegeneous Pellet.	102
S-23-72	A SPECIAL ORDINANCE eleminating a certain position under the direction of the City Plan Commission, creating a new position under the jurisdiction of said Commission and amending Special Ordinance No. S-713-71 so as to reflect the aforsaid changes.	102
R-22-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	103
A-01-72	AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of The Cumulative Capital Improvement Fund and the General Fund of the 1972 Budget of the City of Fort Wayne.	104
R-21-72	RESOLUTION of the Common Council approving Grant Agreement with the Federal Government.	105
S-27-72	AN ORDINANCE approving a certain bid document with L.I. GRIFFIN & SONS, INC. for demolition of Day Camp Building, Franke Park.	106
S-28-72	AN ORDINANCE approving a certain bid document with POINSATTE MOTORS INC. for 3 Four Sedans and 11 Four Door Sedans.	107
S-29-72	AN ORDINANCE approving a certain bid document with MINNESOTA, MINING & MANUFACTURING COMPANY for Reflective Sheeting, Sign Faces, Etc.	107
S-30-72	AN ORDINANCE approving a certain bid document with Hall Signs, Inc., for aluminum sign blanks.	108
S-31-72	AN ORDINANCE approving a certain bid document with Associated Sign & Post Inc. for Traffic Sign Posts.	109
Z-07-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map N. AA3.	109
Z-06-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D-2.	110
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-8.	111
S-21-72	AN ORDINANCE approving contract with JOHN DEHNER, INC. for repairs to Hurshtown Reservoir, Contract No. 71-W-1.	112
S-20-72	AN ORDINANCE approving Board of Works Emergency Resolution and authorizing repairs and restoration of the Hurshtown Reservoir.	112
S-24-72	AN ORDINANCE approving a certain bid document with WAYNE WASTE OIL for 350,000 Gal. SCL Road Oil.	113
S-25-72	AN ORDINANCE approving a certain bid document with BALTIMORE PAINT & CHEMICAL CORPORATION for Pavement Marking Material	114
S-26-72	AN ORDINANCE approving a certain bid document with MINNESOTA MINING & MUNUFACTURING COMPANY for Reflective Pavement Striping Powder.	115
5-19-72		
S-33-72	A SPECIAL ORDINANCE authorizing the implementation of an affirmative action program, creating the appointive office of Equal Opportunity Officer, and fixing the salary for said office.	116
S-34-72	AN ORDINANCE approving a certain bid document with C.A. LEHMAN & SONS., INC. for Reconstruction of Franke Nature Lodge Building.	117
S-32-72	AN ORDINANCE approving a certain bid document with Allen County Motors, Inc. for six 4-door station wagons.	117
Z-08-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-12.	118
S-35-72	AN ORDINANCE approving Change Order No. 7 with C & C/Bohrer, Inc. covering work performed on Sewage Works Project.	119
R-23-72	A RESOLUTION concerning certain power of the Fort Wayne Economic Development Commission.	119
5-23-72		
S-36-72	AN ORDINANCE approving a certain bid document with GRIFFITH'S HARLEY-DAVIDSON SALES & SERVICE for 5 motorcycles - 3 wheel type.	120
S-37-72	AN ORDINANCE approving a certain bid document with STOCKBERGER MACHINERY, INC. for one Brush Chipper.	120
R-24-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	121
R-25-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	122
R-26-72	RESOLUTION concerning Flood Plain Zoning	123

5-23-72

S-38-72	AN ORDINANCE approving Change Order No. 7 with JOHNDEHNER, INC. in connection with work performed on Inner - City Storm Relief Project Sewer Resolution No. 251.	123
R-27-72	RESOLUTION regarding the United States of America's involvement in the Vietnam War.	124

6-13-72

S-39-72	AN ORDINANCE approving a certain bid document with INTERNATIONAL HARVESTER COMPANY for two (2) trucks for slurry machines.	126
S-40-72	AN ORDINANCE approving a certain bid document with DELAGRANGE SALES, INC. for Mobile Aerial Tower, Cab, & Chassis.	127
S-Withdrawn	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS for G.V.W. Van Truck.	127
S-41-72	AN ORDINANCE approving a certain bid document with DEEDS EQUIPMENT COMPANY, INC. for two (2) slurry machines.	128
R-28-72	RESOLUTION authorizing payment of claims due to a fire at 1717 South Lafayette.	128
Z-Withdrawn	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-10	129
Z-09-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-5	129
Z-10-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD-2	130
Z-Defeated	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D-11	131
Z-Withdrawn	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-11, B-11	131
Z-Withdrawn	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-9	131
G-08-72	AN ORDINANCE amending Section 3 through 5 each inclusive, of Chapter 35 of the Fort Wayne Municipal Code, pertaining to the control of weeds, noxious plants, and rank vegetation and transferring certain duties in connection therewith from the Police Department and Board of Public Works to the Board of Health and the Department of Public Parks.	132
G-09-72	AN ORDINANCE amending Chapter 11, Section 3 of the Municipal Code of the City of Fort Wayne (Fire Prevention Code)	133
S-42-72	AN ORDINANCE approving a contract with HITZFIELD CEXCAVATING, INC. for Sanitary Sewer Improvement in the area of Thompson - Dinnen - Huestis Avenues.	134
S-43-72	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Sanitary Sewer Improvement in area of Wildwood and Dinnen Avenues.	134
S-44-72	AN ORDINANCE approving Change Order No. 8 with Earth Construction and Engineering Inc. in connection with work performed on Inner-City Storm Relief Project Sewer Resolution No. 249.	135
S-45-72	AN ORDINANCE approving a contract with SCHEELE CONSTRUCTION COMPANY, INC. for Storm Sewer Improvement Resolution No. 260-1971	136
S-46-72	AN ORDINANCE approving a contract with A. GROSJEAN & SON to improve the alley between Glenwood and Vance Avenues from Carew to Rolston Streets.	137
S-47-72	AN ORDINANCE approving a contract with Westinghouse Electric Corporation for one Oil Circuit Breaker and one Pneumatic Tank Lifter for Lakeside Substation site southeast of Lakeside Junior High School.	137

6-15-72

G-10-72	AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana, 1946, (1959 Edition) by amending Chapter 36-A which adopts the General Plan for the City of Fort Wayne as part of the Master Plan for said City.	138
R-Defeated	A RESOLUTION authorizing further study of the Comprehensive Transportation Plan	139

6-27-72

S-48-72	AN ORDINANCE authorizing the execution of a deed to Mid-West Towel and linen service, Inc. for certain real estate owned by the city of Fort Wayne, Indiana	140
S-49-72	AN ORDINANCE approving bid document Ref. No. 445 with INTERNATIONAL HARVESTER COMPANY and GENERAL TRUCK SALES for various trucks.	141
S-50-72	AN ORDINANCE approving a contract between the City of Fort Wayne, Indiana and National Loss Control Service Corporation under which said corporation is to provide certain Fire Protection Services.	141

6-27-72

S-51-72 AN ORDINANCE approving agreement to purchase real estate from Pernella Tubbs. 143

R-30-72 RESOLUTION authorizing transfer of funds within the 1972 budget of the City Controller. 143

R-29-72 RESOLUTION authorizing ⁷²payment for repairs to City-Owned vehicle. 144

G-11-72 AN ORDINANCE amending the Building Code with respect to Sanitary Plumbing and Electrical Installations. 144

S-52-72 AN ORDINANCE ordering a sidewalk on the southside of Vance Avenue, in the City of Fort Wayne, Indiana, except where sidewalk is now in place. 145

S-53-72 AN ORDINANCE approving contract with L.W.DAILEY, INC. for paving Bradwood Terrace. 146

S-54-72 AN ORDINANCE approving contract with INTERNATIONAL HARVESTER for delivery of truck chassis for Water Pollution Control Plant. 147

S-56-72 AN ORDINANCE approving contract with HIPSKIND ASPHALT CORPORATION for Radcliffe Drive. 147

S-57-72 AN ORDINANCE approving Water Contract No. 7208 between RALPH L. SHIRMEYER INC. and the FORT WAYNE WATER UTILITY for a watermain on Dunkelberg Road. 148

S-55-72 AN ORDINANCE approving Water Contract No. 7206 with JOHN DEHNER, INC. for the construction of the Canterbury Green Feeder Main. 149

G-12-72 AN ORDINANCE amending Ordinance No. G-85-70 1) by abolishing the present Metropolitan Human Relations Commission thereby created; 2) by replacing said Commission with a smaller Commission whose members are more representative of diverse elements of the community; 3) by expanding the powers of said commission; 4) by expanding the scope of the duties of said commission and; 5) by making it unlawful to discriminate in education. 150

7-11-72

S-58-72 AN ORDINANCE approving memorandum of understanding between DANNIE'S MOBILE HOMES, INC. and the CITY OF FORT WAYNE for sanitary sewage disposal and treatment facilities in Valley Hills Estates. 151

G-12-72 AN ORDINANCE amending Ordinance No. G-85-70 1) by abolishing the present Metropolitan Human Relations Commission thereby created; 2) by replacing said Commission with a smaller Commission whose members are more representative of diverse elements of the community; 3) by expanding the powers of said Commission; 4) by expanding the scope of the duties of said Commission; and 5) by making it unlawful to discriminate in education. 152

7-25-72

S-61-72 AN ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne, Indiana for the year 1973. 155

R-22-72 RESOLUTION authorizing payment for repairs to City owned vehicle. 163

R-33-72 RESOLUTION authorizing transfer of funds within the 1972 Budget of the Department of Public Health. 163

S-60-72 AN ORDINANCE approving a certain bid document with General Truck Sales Corp. for G.V.W. Van Truck. 164

R-31-72 RESOLUTION of commitment to a 4-C (Community Co-ordinated Child Care) Program for the City of Fort Wayne, Indiana. 165

S-59-72 AN ORDINANCE approving a contract with MACK'S TRUCK EQUIPMENT for (1) line body body for new truck for Light Construction. 166

G-13-72 AN ORDINANCE repealing Chapter 19, Section 14.1 of the Municipal Code of the City of Fort Wayne and declaring public nuisances applicable to certain acts and places and prescribing penalties therefor and abatement thereof. 167

G-14-72 AN ORDINANCE pertaining to obscene matter. 168

8-8-72

S-63-72 AN ORDINANCE approving a contract with GENERAL TELEPHONE COMPANY OF INDIANA for payment of damages to underground telephone cable by Water and Light Construction Departments. 170

R-36-72 RESOLUTION authorizing payment for repair of Planter at 2500 Maple Place. 170

R-35-72 A RESOLUTION providing authorization for the transfer of certain funds in the City Controller Budget. 171

Z-DEFEATED AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA9. 172

Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A2.	172
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A10.	173
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-11.	173
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB9.	174
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D-1.	174
34-72. R-72-34	RESOLUTION approving application of City of Fort Wayne for recertification of Workable Program for Community Improvement for the next two years.	175
S-64-72	AN ORDINANCE approving a certain bid document with Motorola Communications & Electronics Inc. for (1) Automatic Paging System.	176
S-67-72	AN ORDINANCE approving a contract with SANITARY HYDRAULICS, INC. for one (1) Sewer Jet Machine for the Water Pollution Control Maintenance Department.	176
S-66-72	AN ORDINANCE approving contracts with BAUER BROTHERS COMPANY, REX CHAINBELT, INC. and SEWCO, INC. for furnishing Screening Units.	177
S-65-72	AN ORDINANCE approving a contract with INTERNATIONAL HARVESTER COMPANY for two (2) 1972 Tandem Cab and Chassis GVW for Water Construction.	178
S-62-72	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Sewer Resolution No. 264-1972.	179
8-22-72 S-68-72	AN ORDINANCE approving agreement to purchase real estate from Seldum and Carolyn Shields.	179
S-69-72	AN ORDINANCE authorizing the execution of a deed to the State of Indiana for certain real estate owned by the City of Fort Wayne, Indiana.	180
G-15-72	AN ORDINANCE CREATING a centralized Relocation Agency, and creating a position of Relocation Director and amending Special Ordinance No. S-713-71 by fixing the salary for such position for the year 1972.	182
Z-11-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-16.	183
Z-12-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-11.	184
S-70-72	AN ORDINANCE approving Agreement for Sewer Extension between Fort Wayne Community School Building Corporation and City of Fort Wayne, for Sanitary sewer extension known as Northrop High School Sanitary Lateral Sewer Extension.	184
G-LOST	AN ORDINANCE providing for the inspection of certain housing to ensure compliance with the Minimum Housing Code before such Housing is sold or rented.	185
S-LOST	AN ORDINANCE approving a contract with BERCOT, INC. for Sanitary Sewer Improvement Resolution No. 853-1971.	186
8-28-72 S-71-72	AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1973	187
9-12-72 S-76-72	AN ORDINANCE approving a certain bid document with Allen County Tractor Sales, Inc. for (2) Utility Tractors with trade-in.	188
9-12-72 G-16-72	AN ORDINANCE AMENDING General Ordinance No. G-07-72.	189
R-36-72	A RESOLUTION concerning the introduction of Cable Television into the City of Fort Wayne, Indiana.	190
S-72-72	AN ORDINANCE approving a contract with DIEHL PUMP & SUPPLY COMPANY for furnishing water pumping equipment in connection with Federal Grant Project 11020 GYU, Section III.	191
S-77-72	AN ORDINANCE approving a certain bid document with Vermeer of Indiana for (1) 1972 Stumper.	192
S-74-72	AN ORDINANCE approving an Agreement with BERCOT, INC. for installation of a water main on Cook Road in connection with water contract 7211.	194
S-78-72	AN ORDINANCE approving a certain bid document with General Electric Company for transceivers, Charge rack units and rechargeable batteries.	195
G-Withdrawn	AN ORDINANCE Repealing Certain Annexation Ordinances.	196
R-37-72	A RESOLUTION approving Neighborhood Development Program, Annual Increment Thereof and Filing of An Application For Financial Assistance.	196

<u>9-14-72</u> R-37-72	A RESOLUTION approving Neighborhood Development Program, Annual Increment Thereof and Filing of An Application For Financial Assistance.	196
<u>9-26-72</u> S-80-72	AN ORDINANCE authorizing the execution of a deed to the state of Indiana for certain real estate owned by the City of Fort Wayne, Indiana.	198
<u>9-26-72</u> R-38-72	A RESOLUTION authorizing the temporary advancement of funds from the St. Mary's River Impounding, Sewer Relief, Local Road and Street, Park Trust, Park Cumulative fund (funds) to the Civil City General Fund, Police Pension Fund, Fire Pension Fund and Park General Fund (Funds) for the period ending December 31, 1972.	199
<u>9-26-72</u> Z-13-72	AN ORDINANCE Correcting an Ordinance No. Z-05-72 amending City of Fort Wayne Zoning Map No. A-19.	201
<u>9-26-72</u> S-82-72	AN ORDINANCE amending Special Ordinance No. S-52-72.	202
<u>9-26-72</u> S-81-72	AN ORDINANCE approving bid document Ref. No. 444, with Gladieux Refinery, Inc. for SC1 Road Oil for the Street Department.	203
<u>9-26-72</u> S-79-72	AN ORDINANCE repealing Special Ordinance No. S-24-72 which approved a certain bid document with WAYNE WASTE OIL for 350,000 Gal. SC1 Road Oil.	204
<u>9-26-72</u> S-83-72	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for a sanitary sewer to serve the City's Water Construction Complex.	205
<u>10-10-72</u> R-40-72 R-39-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	206
	RESOLUTION authorizing payment for repairs to Street Department vehicle.	206
G-Defeated	AN ORDINANCE pertaining to the inspection of service stations by the fire Prevention Bureau.	207
G-Defeated	AN ORDINANCE amending Chapter 11, Sections 20, 21, 22 and adding Sections 23 and 24 of the Municipal Code of the City of Fort Wayne, Indiana 1946.	208
S-Withdrawn	AN ORDINANCE approving an agreement with NATIONAL CASH REGISTER for rental equipment.	
S-84-72	AN ORDINANCE approving contract BOWEN ENGINEERING CORPORATION for construction of Large Scale Demonstration of Treatment of Storm-Caused Overflow By the Screening Method - Section V.	209
S-85-72	AN ORDINANCE approving Change Order No. 1 with BERCOT-GIBSON, INC. in the amount of \$35,552.00 for Storm Sewer Resolution No. 259-1971, in the area of Colerick-Monroe Inner City.	210
S-86-72	AN ORDINANCE approving a Contract with WALKER PROCESS EQUIPMENT for furnishing Clarifier Mechanism.	211
<u>10-24-72</u> S-88-72	AN ORDINANCE approving a certain bid document with Ray O'Herron Company, Inc. for (50) Smith & Wesson Revolvers	211
R-41-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	212
R-42-72	RESOLUTION authorizing payment for repairs chain link fence at Fourth and Clinton Street	213
R-43-72	A RESOLUTION transferring funds from 97, Federal Venereal Disease Program to 9-2-213, Travel Expense; 9-3-34, Hospital for V.D.Cases; and 9-7-721, Furniture and Fixtures.	213
R-44-72	RESOLUTION Approving and Authorizing Application by the City of Fort Wayne for a Federal Grant to Assist in Financing the Preparation of a 701 Planning Program Reconstructing the Environment for the City of Fort Wayne.	214
R-45-72	A RESOLUTION approving Open-Space Land Grant Application Part A & B with U.S. Department of Housing and Urban Development	215
S-89-72	AN ORDINANCE authorizing the sale of certain real estate near Schwartz Road owned by the City of Fort Wayne, Indiana	216
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. A-7 and A-9	217
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-9	218
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-17	218
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-13	219
Z-DEFEATED	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-6	219
G-WITHDRAWN	AN ORDINANCE amending Chapter 37 of the Building Code with respect to Electrical Installation Permits, Plumbing Permits, and Heating, Ventilating, and Air Conditioning Permits.	220
G-WITHDRAWN	AN ORDINANCE regulating the burning of waste materials.	221
S-87-72	AN ORDINANCE approving a contract with NORTHEASTERN ENTERPRISES, INC. for construction of Main Sanitary Sewer and Laterals in the area of Maplecrest Road and Vance Avenue	221
Z-14-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-11	222

<u>11-14-72</u> R-47-72	A RESOLUTION transferring certain funds from account No. 3-2-212 and Account No. 3-2-23 in the 1972 Metropolitan Human Relations Budget.	223
R-46-72	A RESOLUTION transferring certain funds from 2-2-264, Computer Services to 2-2-265, Weed Control within the 1972 Budget of the City Controller.	224
R-48-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	224
R-49-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	225
R-50-72	A RESOLUTION transferring certain funds from Account No. 8-1-115h Salaries to Account No. 8-7-726h Other Equipment in the 1972 Budget of the Board of Public Safety-Fire Department.	226
R-51-72	A RESOLUTION concerning applications for continuation of a Public Personnel Program to be funded through the Intergovernmental Personnel Act Program.	226
G-18-72	AN ORDINANCE amending Section 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana pertaining to Public Hearings on Multiple Family or Group Facilities in "RA" and "RB" Districts	227
Z-Defeated	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-7.	228
Z-Defeated	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD-15.	228
Z-Withdrawn	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-6.	229
Z-Vetoed	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-6, B-8.	230
Z-Vetoed	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-6.	231
Z-Defeated	AN ORDINANCE amending the City of Fort Wayne Zoning Map HH-4.	231
G-Defeated	AN ORDINANCE repealing certain Annexation Ordinances.	232
<u>12-5-72</u> R-52-72	RESOLUTION APPROVING CITY OF FORT WAYNE ACCEPTANCE OF FEDERAL GRANT OFFER.	233
R-53-72	RESOLUTION APPROVING ACTION OF BOARD OF PUBLIC WORKS TO FILE ITS APPLICATION WITH THE U.S. GOVERNMENT REQUESTING FUNDS TO ASSIST IN CONSTRUCTION OF THE ST. JOE INTERCEPTOR SEWERS.	233
R-54-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	234
R-55-72	RESOLUTION authorizing payment for repairs to City-owned vehicle.	235
Z-18-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-10.	236
Z-15-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-6 (See Page)----	231
Z-16-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B6, B8 (See Page)---	230
7-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. AA-2, AA-4.	237
S-90-72	AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT and ALLEN COUNTY TRACTOR SALES, for three (3) mowers.	237
S-WITHDRAWN	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for improvement of Ley Road.	238
X-WITHDRAWN	AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No.	239
X-WITHDRAWN	AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No.	239
X-WITHDRAWN	AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No.	239
<u>12-12-72</u> S-94-72	AN ORDINANCE amending Special Ordinance No. S-89-72 to correct legal description and authorizing the sale of certain real estate near Schwartz Road owned by the City of Fort Wayne, Indiana.	240
R-56-72	A RESOLUTION transferring certain funds in the 1972 Budget of the Fire Department.	241
R-57-72	A RESOLUTION transferring certain funds from the 1972 Budget of the Fire Department.	242
R-58-72	A RESOLUTION transferring certain funds in the 1972 Budget of the Fire Department.	242
R-59-72	A RESOLUTION transferring certain funds from Account No. 8-2-22H in the 1972 Budget of the Fire Department - Gasoline Account.	243
R-60-72	A RESOLUTION transferring certain funds in the 1972 Budget of the Fire Department.	244

R-61-72	A RESOLUTION transferring certain funds in the 1972 Budget of the Law Department.	244
R-62-72	A RESOLUTION transferring certain funds in the 1972 Budget of the Law Department.	245
R-63-72	A RESOLUTION transferring certain funds from Account No. 14-2-212 and Account No. 14-3-363 in the 1972 Budget of the Three Rivers Coordinating Council.	246
R-64-72	A RESOLUTION transferring certain funds from Account No. 21-5-51 and Account No. 21-6-62 in the 1972 Budget of the Park Department.	246
R-65-72	A RESOLUTION transferring certain funds from Account No. 21-5-57 and Account No. 21-5-59 in the 1972 Budget of the Park Department. 8 funds	247
R-66-72	A RESOLUTION APPROVING action of Board of Public Works to file its application for Federal Grant (Waynedale Area).	248
R-67-72	A RESOLUTION APPROVING action of Board of Public Works to file its application for Federal Grant (Water Transmission Mains).	249
R-68-72	A RESOLUTION transferring certain funds from Account No. 4-1-11 in the 1972 Budget of the City Clerk's Office.	249
Z-17-72	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. HH-4.	251
G-19-72	AN ORDINANCE providing for the declaration of nuisances in the case of abandoned, damaged buildings and vacant lots in the Central Business District and providing for abatement of the same.	253
S-93-72	AN ORDINANCE approving a contract with SHIRMEHER ASSOCIATES, INC. for construction of a Sanitary Sewer in the area of Winchester and Dunkelberg Roads.	255
S-95-72	AN ORDINANCE approving an Agreement with Boise Cascade Building Company for installation of a water main on the north side of Washington Center Road.	256
G-20-72	GENERAL ORDINANCE G-20-72 Gas Station Ordinance 3 Months	257
S-91-72	AN ORDINANCE approving contract with JOHN DEHNER, INC. for emergency repairs to sewer lines in alley at rear of 1216 Morton Street and 1439 Edgewater Avenue.	258
S-92-72	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for emergency repairs to sewer line in the 3600 block of Wells Street.	259
G-21-72	AN ORDINANCE authorizing and approving joinder of Board of Works in petition to Public Service Commission of Indiana for adjustment in electric rates.	259
<u>12-28-72</u> S-97-72	A SPECIAL ORDINANCE establishing a Lieutenant's Rank in the Communications Department in the City of Fort Wayne, Indiana and amending Special Ordinance S-61-72 by fixing the salary for such position for the year of 1972.	260
S-102-72	AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET, INC. for 1- 1973 Four Door Sedan.	262
S-103-72	AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. AND HEFNER CHEVROLET, INC. for 5- 1973 Four Door Sedans and 1- 1973 Four Door Sedan.	263
S-104-72	AN ORDINANCE approving a certain bid document with GENERAL TRUCK SALES for 3/4 ton pick up.	264
S-105-72	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS for 2- 1973 Four Door Sedans.	265
R-69-72	A RESOLUTION transferring certain funds in the 1972 Budget of the Law Department.	266
R-70-72	A RESOLUTION amending Resolution No. R-45-72 approving Open-Space Land Grant Application Part A & B with U.S. Department of Housing and Urban Development.	267
R-71-72	A RESOLUTION establishing and appointing two (2) Clerks and One Bookkeeper in the Office of the City Clerk of Fort Wayne, Indiana.	268
R-72-72	A RESOLUTION establishing and appointing on a part time basis one Attorney and one Clerk for said Attorney for the Common Council of the City of Fort Wayne, Indiana.	268
S-98-72	AN ORDINANCE approving a certain bid document with Hefner Chevrolet for 1973-4 Door Station Wagon.	269
S-99-72	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS for 1973 one ton truck cab and chassis.	270
S-100-72	AN ORDINANCE approving a certain bid document with Hefner Chevrolet for 3/4 ton wide-side pick up truck.	270

S-101-72	AN ORDINANCE approving a certain bid document with JAMES H. DREW CORP. for Signal Installation at Lake Ave. and Reed Road.	273
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-18.	274
S-96-72	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. and DEHAVEN CHEVROLET, INC. for six (6) motor vehicles.	274
S-106-72	AN ORDINANCE approving a certain bid document with GENERAL ELECTRIC CO. for 37 Transceivers and Battery Chargers.	275
S-107-72	AN ORDINANCE approving a certain bid document with ELLIOTT EQUIPMENT CORPORATION for Traffic Signals.	277
<u>1-9-73</u>		
S-02-73	AN ORDINANCE approving Agreement to Purchase real estate from Joe H. Cook and Annie R. Cook.	277
S-01-73	AN ORDINANCE approving Agreement to Purchase real estate from Janet Sundheimer.	278
S-03-73	A SPECIAL ORDINANCE approving the creation of a certain appointive office and amending Special Ordinance No. S-61-72 by fixing the salary for such appointive office for the year of 1973.	279
S-04-73	AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC.	280
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-2.	281
Z-01-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-9.	282
G-DEFEATED	AN ORDINANCE requiring a permit to transport oversize or overweight vehicles and objects on City streets, fixing permit fees, and providing penalties.	283
G-01-73	AN ORDINANCE dealing with abandoned, vacated or converted motor vehicle filling and service stations.	283
G-WITHDRAWN	AN ORDINANCE amending Sections 3, 6, and 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to service station uses and abandoned service station buildings.	285
R-01-73	RESOLUTION AUTHORIZING ACTION OF BOARD OF PUBLIC WORKS IN CONNECTION WITH THE CONSTRUCTION OF THE ST. JOE INTERCEPTOR SEWERS.	285
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-17.	283
<u>1-23-73</u>		
R-05-73	A MEMORIAL RESOLUTION OF THE OCCASION OF THE DEATH OF THE 36TH PRESIDENT OF THE UNITED STATES-LYNDON B. JOHNSON.	286
S-05-73	AN ORDINANCE approving a certain bid document with TENNANT COMPANY, for one (1) Hydraulic Power Sweeper with attachment.	286
G-WITHDRAWN	AN ORDINANCE providing for the levy of a use and service charge upon passengers enplaning at Baer Field.	287
R-02-73	A RESOLUTION authorizing payment for repairs to fence at 1730 South Lafayette Street.	287
R-03-73	A RESOLUTION authorizing payment for repairs to City-owned vehicle.	288
G-02-73	AN ORDINANCE amending Chapter 37 of the Municipal Code of the City of Fort Wayne and providing for certain changes in the Plumbing, Building, Heating, Ventilating and Air Conditioning and Housing Codes.	289
S-06-73	AN ORDINANCE approving an Agreement with BERCOT, INC. for installation of a water line to serve properties in Hickory Grove Addition in connection with Water Contract.	290
S-07-73	AN ORDINANCE approving Agreement with HIPSKIND ASPHALT COPR. for construction of a sanitary sewer in the area of Trixholme Addition.	291
R-04-73	RESOLUTION concerning administration and enforcement of types of codes and standards for design, construction, alteration, removal or demolition of buildings and structures by a single agency.	293
<u>2-13-73</u>		
S-11-73	AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. AND SUBURBAN SERVICES, INC.	294
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. GG1, GG2 and FF1.	297
R-06-73	A RESOLUTION accepting liability for creditable service pursuant to House Bill 1325.	298
G-03-73	AN ORDINANCE dealing with Motor Vehicle Filling and Service Stations and Car Washes in the Central Business District and providing for penalties for the violation thereof and for the abatement of the same.	299
S-09-73	AN ORDINANCE approving Agreement with NOBIS-WESTROPP CONST. CO. for installation of a sanitary sewer in the area of Lower Huntington and Winchester Roads.	300

S-10-73	AN ORDINANCE approving Change Order No. 1 of SHAMBAUGH & SONS, INC., raising contract price.	301
<u>2-27-73</u>		
S-08-73	AN ORDINANCE approving a certain bid document with SHAMBAUGH AND SON for construction of a pumping station at McMillen Park Golf Course.	302
S-12-73	AN ORDINANCE approving Board of Public Works Resolution to purchase real estate from the Ohio Plate Glass Company.	303
S-13-73	AN ORDINANCE approving contract with GENERAL ELECTRIC COMPANY for equipment to be used on the Washington-Maumee Lighting Project.	304
S-14-73	AN ORDINANCE approving contract with GENERAL ELECTRIC COMPANY for equipment to be used on the Washington-Maumee Lighting Project.	305
S-15-73	AN ORDINANCE approving Fort Wayne Redevelopment Commission resolution to purchase real estate from the City of Fort Wayne.	306
S-16-73	AN ORDINANCE approving City of Fort Wayne Resolution to purchase real estate from the Fort Wayne Redevelopment Commission.	307
R-LOST	A RESOLUTION authorizing the Department of Urban Affairs to apply for a grant.	309
R-07-73	A RESOLUTION transferring certain funds in the 1973 Budget of the Three Rivers Coordinating Council.	309
R-08-73	A RESOLUTION transferring certain funds in the 1973 Budget of the City of Fort Wayne-Motor Vehicle Highway Department.	310
R-09-73	A RESOLUTION transferring certain funds in the 1973 Budget of the Expressway Fund to the General Fund.	311
S-17-73	AN ORDINANCE approving vacation of an unopened portion of Glenwood Avenue.	311
Z-02-73	AN ORDINANCE amending Section 24, Article V of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to certain filing fees.	312
G-05-73	AN ORDINANCE confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Harmer Street Project I proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution - Harmer Street Project I of the Fort Wayne Redevelopment Commission.	313
G-04-73	AN ORDINANCE amending the Plumbing Ordinance of the City of Fort Wayne, Indiana, Chapter 39 of the Municipal Code, by deleting Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 22, and 27, and by adding thereto sections for registering plumbing contractors licensed by the Indiana Plumbing Commission.	314
S-18-73	AN ORDINANCE approving Gift of Conveyance of real estate from Amos Bauman and Mary Alice Bauman, husband and wife.	316
S-19-73	AN ORDINANCE approving Change Order No. 1 of L. W. Dailey, Incorporated, for additional work performed in construction of Dodge Avenue from Elwood Drive to Reed Road.	316
S-20-73	AN ORDINANCE approving a contract with the REDEVELOPMENT COMMISSION for purchase of property in the Hanna-Creighton redevelopment area.	317
S-21-73	AN ORDINANCE approving a contract with LESTER SALES (HAPCO) for equipment to be used on the Washington-Maumee Lighting Project.	318
R-10-73	A RESOLUTION authorizing payment for repairs to a City-owned planter.	319
R-11-73	A RESOLUTION ENDORSING CHILD ACTIVITY PROGRAM.	319
<u>3-13-73</u>		
S-22-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for (1) Van type Truck 1973.	320
R-12-73	A RESOLUTION APPROVING BUDGET OF FORT WAYNE AND ALLEN COUNTY CONVENTION AND TOURISM AUTHORITY FOR 12-MONTH PERIOD, BEGINNING 1/1/73 and ending 12/31/73.	321
R-13-73	A RESOLUTION approving grant from Environmental Protection Agency.	322
G-06-73	AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.	322
S-23-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for (1) 1/2 Ton Pick Up Truck 1973.	325
S-24-73	AN ORDINANCE approving an Agreement with BERCOT INC. for construction of a water line in Woodland Acres Addition.	325

3-27-73

S-25-73	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of Ley Road.	326
S-26-73	AN ORDINANCE authorizing the execution of a deed to Greenway Corp. for certain real estate owned by the City of Fort Wayne, Indiana.	327
S-27-73	AN ORDINANCE approving a contract with GENERAL ELECTRIC SUPPLY CO. for inventory material.	328
S-28-73	AN ORDINANCE approving a contract with NATIONAL MILL for Westinghouse Transformers for 1973.	329
R-16-73	RESOLUTION authorizing the temporary advancement of Funds from the Park Trust Fund, Park Cumulative Fund, Redevelopment General Fund, Redevelopment District Capital Fund, Sewer Relief Fund, St. Mary's River Impounding Fund, Local Road & Street Fund, and Redevelopment R-51 Fund to the Civil City General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund, for the period ending June 30, 1973.	330
R-14-73	A RESOLUTION confirming an Approval order of the Fort Wayne City Plan Commission concerning the Neighborhood Development Program Project Ind. A-14 proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution - Neighborhood Development Program Project Ind. A-14 of the Fort Wayne Redevelopment Commission.	331
R-15-73	A RESOLUTION approving the Urban Renewal Plan and the feasibility of relocation for Neighborhood Development Program Project Ind. A-14	335
R-16-73	RESOLUTION authorizing the temporary advancement of funds from the Park Trust Fund, Park Cumulative Fund, Redevelopment General Fund, Redevelopment District Capital Fund, Sewer Relief Fund, St. Mary's River Impounding Fund, Local Road & Street Fund, and Redevelopment R-51 Fund to the City General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund, for the period ending June 30, 1973.	337
S-29-73	AN ORDINANCE approving vacation of an alley between Oakland Street and Lot 75 Third Papes Addition.	338
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F11.	339
R-17-73	A RESOLUTION OPPOSING ANY WIDENING OF RUDISILL BOULEVARD.	339
S-30-73	AN ORDINANCE approving contract with LIGHTING REPLACEMENT for Lexalite Globes to be used for replacements.	340

4-10-73

S-31-73	AN ORDINANCE approving a certain bid document with LANDSCAPE FORMS, INC. for planters, benches and waste receptacles.	341
S-32-73	AN ORDINANCE approving a contract with MINNESOTA MINING & MFG. CO. for striping powder to be used for the 1973 City Street Painting Program.	342
S-33-73	AN ORDINANCE approving a contract with HALL SIGNS, INC. for Aluminum Traffic Sign Blanks for the fabrication of Uniform Traffic Control Signs and Guides.	342
S-34-73	AN ORDINANCE amending Special Ordinance S-61-72, Section 5, Items 1 and 2.	343
S-35-73	AN ORDINANCE approving a contract with HALL SIGNS, INC. for sign posts of various weight and length to be used for the installation of Uniform Traffic Control signs and guides.	344
S-36-73	AN ORDINANCE approving a contract with MINNESOTA MINING & MFG. CO. for reflective sheeting and miscellaneous sign faces for the fabrication of Traffic Control Signs and Guides for 1973.	344
S-37-73	AN ORDINANCE approving contract with FLEX-O-LITE DIV., GSI, INC. for 38,000 lbs. of glass sphere road beads to be used for the 1973 City Street painting program.	345
S-38-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, for two (2) 1973 two door sedans, Police Package.	346
S-39-73	AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT CO. for two (2) new 1972 Toro 60" Rotary Mowers.	347
R-18-73	A RESOLUTION transferring certain funds from Account No. 80-111 Services Personal, in the 1973 Budget of the City Plan Commission.	347
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-14	348
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-15	348
A-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-15	349
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-14	349
Z-04-73	AN ORDINANCE repealing Ordinance No. Z-73-02-08 with regard to certain filing fees and amending Section 24, Article V of Chapter 36 of the Municipal Code of the City of Fort Wayne pertaining to certain filing fees.	350
G-34-73	AN ORDINANCE amending certain Schedules of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953	350

S-40-73	AN ORDINANCE approving a contract with BERCOT, INC. for construction of a water line to serve Hickory Grove Addition.	353
S-41-73	AN ORDINANCE approving Agreement with JEWEL BUILDERS, INC. for construction of the Woodview Manor Sanitary Sewer.	354
G-07-73	AN ORDINANCE IMPLEMENTING POWERS CONFERRED ON THE COMMON COUNCIL OF THE CITY OF FORT WAYNE WITH RESPECT TO CERTAIN POWERS AND DUTIES OF THE BOARD OF PUBLIC WORKS.	355
R-19-73	A RESOLUTION approving a hiring of Westenhoff & Novick, Inc. to study alternatives for Wells Street Corridor Improvement.	356
S-42-73	AN ORDINANCE approving an agreement with HIPSKIND ASPHALT CORP. for modification of water facilities on U.S. Highway #30 Bypass.	357
S-43-73	AN ORDINANCE approving agreement with NOBIS-WESTROPP for Phase I of water expansion project in area of Beacon-Vance and Hobson Roads.	357
R-20-73	A RESOLUTION IN SUPPORT OF THE OLDER AMERICANS ACT OF 1973.	358
<u>4-24-73</u>		
S-44-73	AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT for two (2) riding rotary mowers and one (1) Unit Reel-type Riding Greensmower.	359
S-45-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY TRACTOR SALES for one (1) 80" rotary mower and one (1) 15' rotary type mower.	359
S-46-73	SPECIAL ORDINANCE approving the creation of the appointive positions of Emergency Medical Technician and Emergency Medical Administrator in the Division of Emergency Medical Services and amending Special Ordinance No. S-61-72 by fixing the salaries for such positions for the year 1973.	360
S-47-73	AN ORDINANCE approving a contract with MICHIE CITY PUBLICATIONS COMPANY for Codification of City Ordinances.	361
G-08-73	AN ORDINANCE creating a division of emergency medical services within the Department of Public Safety of the City of Fort Wayne, Indiana.	362
G-LOST	AN ORDINANCE amending the Fort Wayne Building Code with respect to fees or permits.	363
R-21-73	A RESOLUTION authorizing the Department of Community Development and Planning in the Office of the Mayor to apply for a Grant.	367
R-22-73	A RESOLUTION transferring certain funds from Police Services Personal to various accounts in the Police Budget.	368
R-23-73	A RESOLUTION transferring certain funds in the 1973 Budget of the Fire Department.	369
R-24-73	A RESOLUTION transferring certain funds in the 1973 Budget of the Board of Health.	369
R-25-73	RESOLUTION authorizing payment for repairs to entrance pillar, State and Sherbourne Place.	370
Z-05-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1.	371
G-09-73	AN ORDINANCE amending a certain Section of Chapter 31 of the 1947 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726 adopted December 22, 1953, and as further amended by General Ordinance No. G-06-73 adopted March 13, 1973.	372
S-48-73	AN ORDINANCE approving a contract with ALLEN COUNTY TRACTOR SALES INC. for two (2) industrial tractors.	372
S-49-73	AN ORDINANCE approving Change Order No. 1 with Hipskind Asphalt Corporation in connection with Sanitary Sewer Improvement Resolution No. 857-1973 in Trixholme Addition.	373
S-50-73	AN ORDINANCE approving an agreement with JAY FOX CONSTRUCTION, INC. for construction of Cook Road Feeder Main, Phas I.	374
S-51-73	AN ORDINANCE approving a contract with GRAYBAR ELECTRIC COMPANY for 100,000 feet of triplexed service drop Wire.	374
<u>5-8-73</u> S-53-73	AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. for twenty-six (26) Police Cars.	375
S-54-73	AN ORDINANCE approving a certain bid document with RIES EQUIPMENT COMPANY, INC, for two (2) four wheel type sweepers.	376
S-55-73	A SPECIAL ORDINANCE approving the creation of a civilian position within the police department and amending Special Ordinance S-67-72 by fixing the salary for such position for the year 1973.	376

R-27-73	A RESOLUTION authorizing payment for repairs to an airport hanger.	377
S-59-73	AN ORDINANCE ratifying and confirming an Agreement between the County of Allen and the City of Fort Wayne for surplus real estate to be used by the Housing Authority of the City of Fort Wayne.	378
Z-06-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B1B.	379
Z-07-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H6, H8, J8.	379
Z-08-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H1, H2.	380
S-52-73	AN ORDINANCE approving agreement with BERCOT, INC. for construction of the Neuhaus Ditch Sanitary Sewer.	381
S-56-73	AN ORDINANCE approving a contract with BERCOT, INC. for construction of a water line to be installed in Eastland Gardens.	382
S-57-73	AN ORDINANCE approving a certain bid document with GRAYBAR ELECTRIC COMPANY, for 100,000 feet of Triplex Wire.	383
S-58-73	AN ORDINANCE approving a contract with EARTH CONSTRUCTION for construction of a water line to be installed in Colony Heights, Inc.	383
R-26-73	A RESOLUTION authorizing payment for repairs to a city owned vehicle.	384
<u>S-22-73</u> S-60-73	AN ORDINANCE approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for fire protection.	385
S-61-73	A SPECIAL ORDINANCE approving the creation of the position of Superintendant of the Communications Division of the Department of Public Safety and fixing the salary for such position for the year 1973.	385
S-62-73	AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET, INC. for four (4) station wagons, police package; and with ALLEN COUNTY MOTORS, INC. for one (1) ½ ton wide-side Pick up Truck.	386
S-63-73	A SPECIAL ORDINANCE approving the creation of Chief of the Fire Combat with the Fire Department and amending Special Ordinance No. S-61-72 by fixing the salary for such position for the year 1973.	387
S-64-73	AN ORDINANCE approving a contract between ZOLLNER CORPORATION and the City of Fort Wayne by and through its Department of Public Safety for fire protection.	388
S-66-73	AN ORDINANCE amending Chapter 29, Section 18 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended by Special Ordinance S-409-70 and concerning taxicabs.	388
R-28-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car #2.	389
R-29-73	A RESOLUTION authorizing payment for repairs to Squad Car #6.	390
R-30-73	A Resolution authorizing payment for repairs to Building Department Vehicle #310	390
R-31-73	A RESOLUTION authorizing payment for repairs to Police vehicle #2.	391
G-10-73	AN ORDINANCE amending the Electrical Code of the City of Fort Wayne, Indiana, Chapter 38, of the Municipal Code, by amending Sections 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 26, 29, 30, 31, 36, and 40 thereof.	392
G-11-73	AN ORDINANCE repealing Special Ordinance No. S-242 approved March 25, 1958, by the Common Council of the City of Fort Wayne, Indiana, which ordinance ratified and approved a certain contract and agreement made and entered into by and between the City of Fort Wayne, Indiana, by and through its Board of Public Works, and S.F. Bowser and Company, Inc. of the City of Fort Wayne, Indiana	396
R-32-73	A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Amendment of the Hanna-Creighton Urban Renewal Project I, IND. R-51 proposed by the Fort Wayne Redevelopment Commission and Confirm the Declaratory Resolution - Amending the Urban Renewal Plan for Hanna-Creighton Urban Renewal Project I, IND. R-51 of the Fort Wayne Redevelopment Commission.	398
S-65-73	AN ORDINANCE approving a contract with CONRAD ERECTION & SUPPLY and HIPSKIND ASPHALT CORP. to cover the cost of emergency repairs to the Lafayette Street Underpass.	401
<u>6-12-73</u>		
G-12-73	AN ORDINANCE amending Section 13 of Chapter 3 of the Municipal Code of Fort Wayne by: (1) imposing a redemption fee of ten dollars (10.00) in respect to the first occasion upon which a dog running at large has been impounded, and (2) requiring shelter adequate to protect a female dog in heat from conception.	402
R-33-73	A RESOLUTION transferring certain funds from account No. 80-111 Salaries in the 1973 Budget of the City Plan Commission.	403

R-34-73	A RESOLUTION transferring certain funds from Account Nos. 75-362 Stationary and Printing, 75-324 Garage & Motor Supplies and 75-252 Repair of Equipment.	404
R-35-73	A RESOLUTION transferring certain funds form Account Nos. 75-241 Printing and 75-252 Repairs of Equipment in the 1973 Budget of the Weights and Measures department.	405
R-36-73	A RESOLUTION transferring certain funds from Account No. 68-51 Insurance and 68-55 Subscription and Dues in the 1973 Budget of Minimum Housing and Relocation.	405
R-37-73	A RESOLUTION of appreciation to WALTER G. ROEMKE.	406
R-38-73	A RESOLUTION transferring certain funds from Account No. 62-264, Computer Services to Account No. 62-265, Commission on the Status of Women.	407
Z-09-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. EE8, DD8, EE6, DD6.	408
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB4.	409
G-13-73	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley located between Rockhill Street on the West and Union Street on the East.	410
S-67-73	AN ORDINANCE approving an agreement with Bercot, Inc. for relocation of water main facilities on U.S. 30 Bypass.	410
S-68-73	AN ORDINANCE approving an agreement with Industrial Piping and Engineering Corp. for revisions to Three Rivers Filtration Plant.	411
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne, Zoning Map No. F7, F9.	409
<u>6-26-73</u>		
S-71-73	AN ORDINANCE approving a certain bid document with NATIONAL CUSTOM COACHES, INC. for four (4) Emergency Medical Services Vehicles.	412
Z-WITHDRAW	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 1320 to establish a Mobile Home Park Boundary.	412
G-14-73	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley located running north from Dalman Avenue.	412
G-15-73	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley located between Lot No. one (1) in the Allen Subdivision and Lot No. one (1) in Michales Addition.	413
R-39-73	A RESOLUTION ratifying and confirming selection of Neighborhood Development Project sites.	414
S-69-73	AN ORDINANCE approving Agreement with NORTHEASTERN ENTERPRISES, INC. for consturction of the Walden Addition sewer.	415
S-70-73	AN ORDINANCE approving an agreement with A GROSJEAN AND SONS for construction of an Alley between Kinnaird and Packard Avenues.	416
S-72-73	AN ORDINANCE approving a contract with DOW CHEMICAL COMPANY for approximately 500,000 gallons of Ferric Chloride solution.	417
S-73-73	AN ORDINANCE approving a certain bid document with ALLIED CHEMICAL, INDUSTRIAL CHEMICAL DIVISION for 800,000 Gallons Liquid Alum.	418
<u>7-10-73</u>		
S-74-73	AN ORDINANCE approving a certain bid document with Griffith's Harley-Davidson Sales & Service for four (4) 1973 motorcycles.	419
S-75-73	AN ORDINANCE approving a certain bid document with VAN AUSDALL & FARRAR, INC. twenty-five (25) Tape Recorders, two (2) transcribers, twenty-two (22) battery packs, and eight (8) chargers.	419
S-76-73	AN ORDINANCE approving a certain bid document with General Electric Company for ten (10) two-way mobile radios and fifteen (15) two-way mobile radios (four frequency).	420
S-77-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY TRACTOR SALES for three (3) tractors.	421
S-78-73	AN ORDINANCE approving certain bid documents with RILEY LAWN AND GOLF EQUIPMENT COMPANY for (3) golf maintenance carts and 52 tons of chemical fertilizer.	422
S-79-73	AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT, INTERNATIONAL HARVESTER COMPANY and ALLEN COUNTY MOTORS for the purchase of truck and body replacements for City Utilities departments.	422

S-80-73	AN ORDINANCE approving a certain bid document with GRAYBAR ELECTRIC COMPANY, UNION METAL MFG. CO., PREFERRED PRODUCTS SALES CO. and GENERAL ELECTRIC COMPANY for the purchase of lighting equipment inventory for Light Construction	423
R-40-73	A RESOLUTION transferring certain funds from Account No. 71-111 Services Personal to Account No. 71-312 Fuel Oil.	424
<u>7-24-73</u>		
S-81-73	AN ORDINANCE approving a certain bid document with GENERAL TRUCK SALES for one (1) 1/2 ton cab and chassis.	425
S-82-73	AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT for one (1) new 1973 Refuse Packer.	426
R-42-73	A RESOLUTION transferring certain funds from Account No. 67-7-722 Moter Equipment in the 1973 Budget of the Building Department.	426
R-43-73	A RESOLUTION transferring certain funds from Account No. 68-7-722 to various accounts in the 1973 budget of Minium Housing.	427
R-41-73	A RESOLUTION of the Common Council approving Grant Agreement with the Federal Government	428
G-16-73	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a street, petitioned by property owners.	429
G-17-73	AN ORDINANCE approving a project of the Authority of the City of Fort Wayne to purchase single family homes from FHA for rehabilitation, rental and sale to low income families and approval of a loan of \$2000,000.00 to be repaid by the Housing Authority and guaranteed by the City of Fort Wayne.	430
S-83-73	AN ORDINANCE approving Board of Public Works Resolution No. 59-294-8 for payment to Nobis-Westrop of \$53,626.07, of which \$16,168.53 shall be in Barrett bonds.	431
<u>8-14-73</u>		
R-45-73	A RESOLUTION transferring certain funds from Account No. 74-213 Travel to Account No. 74-121 Salaries-Temporary in the Budget of the Board of Safety.	444
R-46-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 11.	444
R-47-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 21.	445
R-48-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 68.	446
R-49-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 51.	446
R-50-73	A RESOLUTION authorizing for repairs to Police Department Squad Car No. 3.	447
R-51-73	A RESOLUTION transferring certain funds from Account No. 63-242 Publication of legal notices to Account No. 63-725 Office Equipment in the 1973 Budget of the Purchasing Department	448
R-52-73	A RESOLUTION transferring certain funds from Account No. 77-2-261 Services Contractural in the 1973 Budget of Traffic Engineering.	449
R-53-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 72.	449
R-54-73	A RESOLUTION authorizing for repairs to Police Department Squad Car No. 85.	450
R-55-73	A RESOLUTION authorizing payment for repairs to Board of Safety's Vehicle No. 64.	451
R-56-73	A RESOLUTION authorizing payment for repairs to Police Motorcycle.	451
R-57-73	A RESOLUTION authorizing payment for repairs to Parking Administration's vehicle.	452
R-58-73	A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 24.	453
R-LOST	A RESOLUTION transferring certain funds from Account No. 74-726 Other Equipment to Account No. 74-121 Temporary Salaries in the Budget of the Board of Safety.	454
R-58-73	A RESOLUTION authorizing payment for repaurs to Police Department Squad Car No. 24.	453
R-44-73	A RESOLUTION concerning programs and services to relieve police and law enforcement agencies from the burdens of dealing with arrest in the Fort Wayne area for public intoxication unconnected with any crime.	455
R-59-73	A RESOLUTION DECLARING THAT NO DRIVEWAY PERMIT SHOULD BE GRANTED FOR ACCESS ON JEFFERSON STREET, FORT WAYNE, INDIANA INCIDENT TO SHELL OIL CO. OPERATION AT THE SOUTHWEST CORNER OF JEFFERSON AND HARRISON STREETS IN THE CITY OF FORT WAYNE, INDIANA.	455
Z-WITHDRAWN	An ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1 by locating A Reginal Shopping Center Symbol thereon.	454
Z-Withdrawn	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB4.	454
S-84-73	Salary Ordinance	432

G-18-73	AN ORDINANCE AMENDING CHAPTER 30 OF THE FORT WAYNE MUNICIPAL CODE BY ADDING THERETO SECTIONS 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47,	457
Z-10-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B4, B6, C4, C6.	459
G-19-73	AN ORDINANCE approving itemized estimates of Capital Program Expenitures for the year 1974.	460
S-85-73	AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1974.	463
S-86-73	AN ORDINANCE approving a contract with International Harvester Ernst Truck Equipment Co. for 2 Trucks and 2 Dump bodies.	464
S-87-73	AN ORDINANCE approving an agreement with AMERICAN THREAD COMPANY for fire protection on American Way.	465
S-88-73	AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT COMPANY for the purchase of three salt spreaders for the Street Department.	465
S-89-73	AN ORDINANCE approving Change Order No. 1 with Maumee Construction Corp. in connection with Vance Avenue Sidewalk installation Ordinance No, S-52-72.	466
S-92-73	AN ORDINANCE approving Contracts with various Contractors, for the construction of the St. Joseph Interceptor Sewers.	467
S-93-73	AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for resurfacing twenty (20) streets.	470
S-94-73	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of Clermont Avenue from Hessen Cassel Road to Wayne Trace.	471
R-60-73	A RESOLUTION authorizing payment for repairs to Police vehicle damaged in an accident	472
G-20-73	AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.	473
G-21-73	AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.	473
G-22-73	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley north of Greighton Avenue.	474
G-23-73	AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.	475
S-90-73	AN ORDINANCE approving a contract with JUSTUS CONTRACTING COMPANY for construction of a water main on Old Decatur Road.	477
S-91-73	AN ORDINANCE approving Agreement with KEN NIEMEYER, INC. for construction of the LAKE FOREST ADDITION EXTENDED sewer.	478
<u>9-11-73</u>		
R-61-73	RESOLUTION approving Modifying Agreement No. 1 to Contract for Community Renewal Program Grant No. R-89 (CR).	479
R-67-73	A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. Salaries to Account No. 73-321 Gasoline and to Account No. 73-51 Insurance in the 1973 Budget of the Fire Department.	480
R-66-73	A RESOLUTION transferring certain funds from Account No. #81-23 Instruction to Account # 81-324 Garage and Motor Supply in the Budget of the Humane Commission.	481
R-65-73	A RESOLUTION authorizing payment for repairs to Police Vehicle #81 damaged in an accident.	481
R-64-73	A RESOLUTION transferring certain funds from Account No. 81-23 Instruction to Account No. 81-321 Gasoline in the 1973 Budget of the Humane Commission.	482
R-63-73	A RESOLUTION transferring certain funds from Account No. 62-64 Computer Services to Account 62-55 Subscriptions and Dues in the 1973 Budget of the Controller's Office.	483
R-62-73	A RESOLUTION transferring certain funds from Account No. 63-111 Salaries to Account No. 63-363 Supplies in the 1973 Budget of the Purchasing Department.	483
Z-12-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E1, E2, F1, F2.	484
Z-11-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB9.	485
Z-13-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C3, D3.	486
Z-14-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F7, F9.	486
S-95-73	AN ORDINANCE approving Agreement with NOBIS-WESTROPP CONSTRUCTION for construction of Cook Road Feeder Main Phase II.	487
S-96-73	AN ORDINANCE approving a contract with KAUFFMAN & SONS for repair to strom damaged roof at WPC Maintenance Garage.	488

S-97-73	AN ORDINANCE approving Board of Public Works Resolution to purchase real estate from Allen Wood Products, Inc.	489
S-98-73	AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET for one (1) Rescue Unit.	490
S-99-73	AN ORDINANCE approving Change Order No. 1 with Wayne Asphalt and Construction covering additional work on Street Resurfacing Resolution #5638-1973.	490
Z-15-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. EE-3, FF-3.	
Z-16-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F1.	492
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B7.	492
Z-WITH-DRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. EE-2.	493
G-24-73	AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of a public street.	493
R-68-73	A RESOLUTION REGARDING LACK OF PUBLICATION OF NOTICE ON CERTAIN ORDINANCES HERETOFORE PASSED BY THE COMMON COUNCIL.	494
S-100-73	AN ORDINANCE approving Change Order No. 1 with John Dehner, Inc. on Resolution No. 5621-1972 Ley Road.	495
<u>10-9-73</u>		
S-101-73	AN ORDINANCE approving a certain bid document with HIDNER CHEVROLET, INC. for the purchase of two (2) $\frac{1}{2}$ ton pick-up trucks less trade-ins for the Street Department.	495
S-102-73	AN ORDINANCE approving contracts for purchase of equipment necessary for installation of Street Lighting.	496
S-103-73	AN ORDINANCE approving Bid Document No. 541 Department of Public Safety.	497
S-104-73	AN ORDINANCE approving Gift of Conveyance of real estate from Robert Tremmel and Mary Inez Tremmel, husband and wife.	498
S-105-73	AN ORDINANCE approving a certain bid document with COLE NURSERY COMPANY, INC. for the purchase of street trees.	499
S-106-73	AN ORDINANCE approving a certain bid document with C.M. HOBB & SONS, INC. for the purchase of street trees.	500
R-71-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-37 Supplies within the 1973 Budget of the Police Department.	500
R-72-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-132 Educational Incentive within the 1973 Budget of the Police Department.	501
R-73-73	A RESOLUTION transferring certain funds from Account No. 66-266 Public Lighting to Account No. 66-362 Stationery & Printing with the 1973 Budget of the Board of Works.	502
R-74-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to 71-321 Gasoline with the 1973 Budget of the Police Department.	503
R-75-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-726 Other Equipment in the 1973 Budget of the Police Department.	503
R-76-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-362 Stationery & Printing within the Budget of the Police Department.	504
R-77-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-363 Office Supplies within the 1973 Budget of the Police Department.	505
R-78-73	A RESOLUTION transferring certain funds from Account No. 62-062 Retirement to Account No. 62-055 Dues & Subscriptions, in the 1973 Budget of the Controller's Office.	505
R-79-73	A RESOLUTION transferring certain funds from Account No. 66-266 to Account No. 66-241 within the 1973 Board of Works Budget.	506
R-80-73	A RESOLUTION transferring certain funds from Account No. 20-84-111 Salaries to Account No. 20-84-370 Other Supplies in the 1973 Aviation Budget.	507
R-81-73	A RESOLUTION transferring certain funds from Account No. 62-062 Retirement to Account No. 62-213 Travel in the 1973 Budget of the Controller's Office.	508
R-82-73	A RESOLUTION transferring certain funds from Account No. 62-062 Retirement to Account No. 62-363 Supplies in the 1973 Budget of the Controller's Office.	508

R-83-73	A RESOLUTION transferring certain funds from Account No. 20-84-111 Salaries to Account No. 20-84-323 Tire & Tubes in the 1973 Aviation Budget.	509
R-84-73	A RESOLUTION transferring certain fund from Account No. 66-111 Salaries to Account No. 66-37 Other Supplies within the 1973 Budget of the Board of Works.	510
R-85-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-131 Shift Differential within the 1973 Budget of the Police Department.	510
R-86-73	A RESOLUTION transferring certain funds from Account No. 66-111 Salaries to Account No. 66-221 Electric Currect in the 1973 Budget of the Board of Works.	511
R-87-73	A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-331 Laundry within the 1973 Budget of the Police Department.	512
R-88-73	A RESOLUTION transferring certain funds from Account No. 20-84-111 Salaries to Account No. 20-84-640 Taxes in the 1973 Aviation Budget.	513
R-89-73	A RESOLUTION transferring certain funds from Account No. 62-062 Retirement to Account No. 62-214 Telephones in the 1973 Budget of the Controller's Office.	513
R-90-73	A RESOLUTION transferring certain funds from Account No. 66-111 Salaries to Account No. 66-265 Community Affairs in the 1973 Budget of the Board of Works.	514
R-91-73	A RESOLUTION transferring certain funds from Account No. 66-111 Salaries to Account No. 66-225 Sewage in the 1973 Budget of the Board of Works.	515
R-92-73	A RESOLUTION transferring certain funds from Account No. 20-84-111 Salaries to Account No. 20-84-253 Repairs of Runways in the Aviation Budget.	516
R-93-73	A RESOLUTION transferring certain funds from Account No. 66-242 Publications of Legal Notices to Account No. 66-241 Printing in the 1973 Budget of the Board of Works.	517
R-94-73	A RESOLUTION transferring certain funds from Account No. 66-111 Salaries to Account No. 63-23 Instruction in the 1973 Budget of the Board of Works.	517
Z-17-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD-13.	518
Z-18-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA7, AA9.	520
Z-19-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC14.	520
G-25-73	AN ORDINANCE amending the master plan of the City of Fort Wayne by authorizing the vacation of four lots in Woodlawn Park.	521
X-01-73	AN ORDINANCE ANNEXING certain territory to the City of Fort Wayne and including the same in Councilmanic District No.	522
<u>10-23-73</u>		
S-106-73 121-	A SPECIAL ORDINANCE approving the creation of two new positions - Chief Parochial School Physician and Assistant Parochial School Physician - within the department of the Board of Health and amending the Board of Helath Salary Ordinance by fixing the salary for such positions for the year 1973.	523
S-107-73	AN ORDINANCE approving a certain bid document with MEEK MACK, INC. for the purchase of an aerial scope for the Fire Department.	524
S-108-73	AN ORDINANCE approving an agreement with L. W. DAILEY, INC. for paving of Dalewood Drive.	525
S-109-73	AN ORDINANCE approving a certain bid document with HEINE TURF for one (1) industrial equipment trailer and three (3) rotary mowers.	525
R-96-73	AN RESOLUTION transferring certain funds from Account No. 66-266 Public Lighting to Account No. 66-263 Other Office Supplies within the 1973 Budget of the Board of Works..	526
R-97-73	A RESOLUTION transferring certain funds from Account No. 85-62 Retirement and Social Security to Account No. 85-35 Recreation Supplies in the 1973 Budget of the Park Dept.	527
R-98-73	A RESOLUTION transferring certain funds from Account No. 85-62 Retirement & Social Security to Account No. 85-55 Subscriptions & Dues in the 1973 Budget of the Park Department	527
R-99-73	A RESOLUTION transferring certain funds from Account No. 85-62 Retirement & Social Security to Account No. 85-726 Other Equipment in the 1973 Budget of the Park Department	528
R-100-73	A RESOLUTION authorizing the temporary advancement of funds from the Park Trust, Park Cumulative, Redevelopment Capital, Motor Vehicle Highway, Sewer Relief, Public Lighting, St. Marys River Impoundment and Local Road and Street funds to the General Fund, Park General, Police Pension and Fire Pension funds for the period ending December 31, 1973.	529
R-95-73	A RESOLUTION transferring certain funds from Account No. 85 Park General Fund to Account No. 85-2-261 Miscellaneous Contracual Services.	530
Z-20-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ1	531
Z-21-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC24	532
Z-22-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A17	533

Z-23-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-5	534
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F1-F2.	534
Z-WITHDRAWN	- AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D9	535
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB4	535
G-26-73	AN ORDINANCE amending Sections 3 and 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to the definitions of Group Homes and Half-Way Houses and for their location in certain districts as permitted uses.	536
S-110-73	AN ORDINANCE approving a certain City Utilities Purchase Order for the purchase of labor, material and equipment for repair of water main break from JOHN DEHNER, INC.	538
S-111-73	AN ORDINANCE approving an agreement with MAUMEE CONSTRUCTION CORPORATION for the improvement of Elmer Avenue.	539
S-112-73	AN ORDINANCE approving an agreement with WAYNE ASPHALT & CONSTRUCTION CO. for the improvement of Fisher Street.	539
S-113-73	AN ORDINANCE approving a certain bid document with L & A PRODUCTS INC. for the purchase of one Pressure Washer for the Board of Public Works.	540
S-114-73	AN ORDINANCE approving certain purchase order with GRIFFIN ELECTRIC for 75,000 feet of wire	541
S-115-73	AN ORDINANCE approving a certain City Utilities Purchase Order with T & R ELECTRIC SUPPLY COMPANY, INC. for 50 transformers.	542
<hr/>		
11-13-73		
R-101-73	A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-243 Photography in the 1973 Budget of the Fire Department.	542
R-102-73	A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-41 Building Maintenance in the 1973 Budget of the Fire Department.	543
R-103-73	A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account No. 79-213 Communications and Transpiration in the 1973 Budget of the Law Department.	544
R-104-73	A RESOLUTION transferring certain funds from Account No. 85-7-722 Motor Equipment to Account No. 85-2-260 Miscellaneous Contractual Services, in the 1973 Budget of the Park Department.	544
R-105-73	A RESOLUTION authorizing payment for repairs to Police Vehicle #64 which was damaged in an accident.	545
R-106-73	A RESOLUTION transferring certain funds from Account No. 79-37 Other Supplies to Account No. 79-363 Other Office Supplies in the 1973 Budget of the Law Department.	546
R-107-73	A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account No. 79-53 Refunds, Awards & Indemnities and Special Expenses in the 1973 Budget of the Law Department.	547
R-108-73	A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-221 Electric Current in the 1973 Budget of the Fire Department.	547
R-109-73	A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-332 Medical, Surgical And Dental in the 1973 Budget of the Fire Department.	548
R-110-73	A RESOLUTION transferring certain funds from Account No. 78-2-215 Mileage, to Account No. 78-3-362 Stationary & Printing, in the 1973 Budget of the Board of Health.	549
R-111-73	A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account NO. 79-55 Subscriptions and Dues in the 1973 Budget of the Law Department.	550
R-112-73	A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-331 Household, Laundry & Cleaning in the 1973 Budget of the Fire Department.	550
R-113-73	A RESOLUTION transferring certain funds from Account No. 85-7-722 Motor Equipment to Account No. 85-3-370 Other Supplies in the 1973 Budget of the Park Department.	551
R-114-73	A RESOLUTION authorizing payment for repairs to Vehicle #16 M011116 which was damaged in an accident.	552
R-115-73	A RESOLUTION transferring certain funds from Account No. 85-77-722 Motor Equipment to Account No. 85-4-410 Building Materials in the 1973 Budget of the Park Department.	553
R-116-73	A RESOLUTION transferring certain funds from Account No. 69-362 Stationery & Printing to Account No. 79-363 Other Office Supplies in the 1973 Budget of the Law Department.	553
R-117-73	A RESOLUTION transferring certain funds from Account No. 85-6-620 Retirement and Social Security to Account No. 85-2-260 Miscellaneous Contractual Services in the 1973 Budget of the Park Department.	554
R-118-73	A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account No. 79-363 Other Supplies (Office) in the 1973 Budget of the Law Department.	555
R-119-73	A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account No. 79-212 Postage in the 1973 Budget of the Law Department.	556

G-27-73	AN ORDINANCE amending Sections 3, 9, 14, 16, 20, 21, 23, 24, 25, 29 and 35 of the Zoning Ordinance to the City of Fort Wayne, Indiana, to transfer enforcement of the Zoning Ordinance from the Building Commissioner to the Zoning Enforcement Officer to be designated by the Plan Commission.	556
G-28-73	AN ORDINANCE amending Sections 4, 6 and 10 of the Subdivision Control Ordinance of the City of Fort Wayne, Indiana, to transfer enforcement of the Subdivision Control Ordinance from the Building Commissioner to a Zoning Enforcement Officer to be designated by the Plan Commission.	561
Z-WITH-DRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map NO. B14.	563
R-121-73	A RESOLUTION ratifying and approving the actions of certain County and City officials in organizing and carrying on the activities of the Indiana Area III MAPC and encouraging said officials to continue to further the purpose of said Indiana Area III MAPC.	563
R-120-73	A RESOLUTION of the Council of the City of Fort Wayne, Indiana, extending an invitation to the City of Plovdiv, Bulgaria, to become a sister-city and inviting the people of Plovdiv, Bulgaria to participate in said program.	564
S-116-73	AN ORDINANCE approving Change Order No. 1 with SCHEELE CONSTRUCTION COMPANY, INC. in connection with Storm Water Overflow Project Resolution No. 260-1971.	565
S-117-73	AN ORDINANCE approving storm and sanitary agreement with JUSTUS CONTRACTING COMPANY, INC. for construction of sewers to serve South Towne Square, Phase I.	565
S-118-73	AN ORDINANCE approving certain purchase orders with CENTRAL SUPPLY COMPANY and UNIVERSAL ELECTRIC CO. for 101, 000 feet of wire and 150 heavy duty fuse cutouts, respectively.	567
S-119-73	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for construction of a water line on Lake Avenue.	567
S-120-73	AN ORDINANCE approving a contract with NOBIS-WESTROP CONSTRUCTION CO., INC. for construction of a water line on Cook Road.	568
<u>11-27-73</u>		
S-122-73	AN ORDINANCE approving a certain bid document with MOBILE AERIAL TOWER for the purchase of one Brush Chipper for the Park Department.	569
S-123-73	AN ORDINANCE approving a certain bid document with AUDIO-VISUAL, INC. for the purchase of Television recording and playback equipment for the Office of Emergency Services.	570
S-124-73	AN ORDINANCE approving Board of Public Works proposition to purchase real estate from Walter Imler and Irene Imler.	570
S-125-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for the purchase of a 1/2 ton pick-up truck less trade-in for the Fort Wayne Fire Department.	571
S-126-73	AN ORDINANCE authorizing the execution of a deed to Bernard and Isabell Romy for certain real estate owned by the City of Fort Wayne, Indiana.	572
S-127-73	AN ORDINANCE approving a certain bid document with INTERNATIONAL CRYSTAL MFG. CO. INC. and with GENERAL ELECTRIC COMPANY for the purchase of parts and labor to install two additional frequencies in approximately sixty (60) mobile radios now in use in the Police Department, for the Department Of Public Safety.	573
S-128-73	AN ORDINANCE approving a certain bid document with GENERAL ELECTRIC CO. for the purchase of certain communications equipment to be used by the Fort Wayne Police Dept. for the Department of Public Safety.	574
R-122-73	A RESOLUTION authorizing payment for repairs to Fire Department Vehicle #C22.	574
R-123-73	A RESOLUTION authorizing payment for repairs to Fire Department Vehicle #C24	575
G-29-73	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of an alley south of Wallace Street.	576
S-129-73	AN ORDINANCE approving a certain bid document with NATIONAL MILL SUPPLY for the purchase of nine transformers for City Utilities.	577
S-130-73	AN ORDINANCE approving an agreement with T & F CONSTRUCTION CORPORATION for street lighting.	577
S-131-73	AN ORDINANCE approving a certain bid document with TRI-STATE PLUMBING for ten (10) fire hydrants for City Utilities.	578
S-132-73	AN ORDINANCE approving City Utilities Purchase Order No. 2375 for the purchase of Conventional Distribution Transformers from T & R Electric Supply Company.	579
<u>12-11-73</u>		
S-133-73	AN ORDINANCE approving a certain bid document with ALLEN COUNTY TRACTOR SALES for one (1) utility tractor.	580
S-134-73	AN ORDINANCE approving a certain bid document with ROCKWELL PARKING METERS, CHARLES LEE ASSOCIATES for Parking Meters.	580
S-135-73	AN ORDINANCE approving a contract with TREATY CO. for tapping valves for Water Construction.	581

R-124-73	A RESOLUTION authorizing payment for repairs to the roof of Hanger No. 43 by transferring funds from Account No. Unappropriated Unexpended Balance of Aviation Fund to Account No. 84-7-711 Buildings and Fixed Equipment.	582
R-126-73	A RESOLUTION transferring certain funds from Account No. 90-111 Salaries to Account No. 90-261 Rental in the 1973 Budget of the Permit Department.	582
R-125-73	A RESOLUTION rransferring certain funds from Account No. 90-111 Salaries to Account No. 90-212 Postage in the 1973 Budget of the Permit Department.	583
G-30-73	AN ORDINANCE amending the Building Code of the City of Fort Wayne, Indiana, by adding thereto a new division_____. (Ordinance for disabled people)	584
<u>12-26-73</u>		
S-136-73	AN ORDINANCE approving a certain bid document with PAVE-MARK CONTRACTORS for equipment and materials for Thermo Plastic Pavement Marking.	587
S-137-73	AN ORDINANCE approving a certain bid document of Poinsatte Motors, Inc. for five new Police Department sedans cars, with four trade-ins, and authorizing acquisition of same by the Purchasing Department.	588
S-138-73	AN ORDINANCE approving certain bids with Eastman Kodak Co. and Office Systems, Inc. for Records-Keeping Equipment for the Police Department.	588
R-127-73	A RESOLUTION transferring certain funds from Account No. 61-111 Salaries to Account No. 61-111 Salaries to Account No, 61-055 Public Relations in the Mayor's Office.	589
R-128-73	A RESOLUTION transferring certain funds from Account No. 3461, 111 Services Personal to Account No. 3461,200 Services Contractual in the 1973 Budget of the Department of Human Resources (Revenue Sharing-Project I).	590
R-129-73	A RESOLUTION authorizing payment for repairs to Police Garage Vehicle #75.	591
R-130-73	A RESOLUTION authorizing payment for repairs to City Unit #257.	591
R-131-73	A RESOLUTION authorizing payment for repairs to Police Vehicle #25.	592
Z-24-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C5.	593
Z-25-73	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B13.	594
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. EE2.	594
G-31-73	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Jeffereds Avenue.	595
G-32-73	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of portions of Redwood Avenue and Felician Street.	596
G-33-73	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of portions of Adams and Turpie Streets.	597
S-139-73	AN ORDINANCE approving a contract with All-Phase Electric for cable for Light Construction.	598
S-140-73	AN ORDINANCE approving a contract with CLOW CORPORATION for the purchase of material for Water Construction.	598
<u>1-8-74</u>		
S-01-74	AN ORDINANCE approving an Agreement with County Commissioners for conveyance of real estate.	599
S-02-74	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for two (2) Four-door sedans.	600
R-01-74	A RESOLUTION authorizing payment for repair to Police Vehicle #80.	600
S-03-74	AN ORDINANCE approving a Contract with GROSJEAN & SONS for paving the alley between Tennessee and Anderson Avenues.	601
S-04-74	AN ORDINANCE approving a contract with NORTH EASTERN ENTERPRISES, INC. for construction of water line in Walden Addition, Section II.	602
S-05-74	AN ORDINANCE approving a contract with NATIONAL MILL SUPPLY CO. for three 250 KVA transformers.	603
S-06-74	AN ORDINANCE approving a contract with CROY, CRUM & ENGLISH and R.G. HALEY CO., INC. for material to be used for two new substations.	603
<u>1-22-74</u>		
S-07-74	AN ORDINANCE approving a certain bid with GENERAL TRUCK SALES CORPORATION for six trucks for Board of Park Commissioners.	604

S-08-74	AN ORDINANCE approving a certain bid with ALLEN COUNTY MOTORS, INC. for one truck cab and chassis.	605
G-01-74	AN ORDINANCE amending certain Schedules of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.	605
S-09-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for construction of a storm drain in the area of Roth Road along Hurshtown Reservoir.	607
R-02-74 VETOED 2-12-74	RESOLUTION CONCERNING DISMISSAL OF TWO (2) MEMBERS OF THE FORT WAYNE REDEVELOPMENT COMMISSION'S STAFF.	607
S-10-74	AN ORDINANCE approving a certain bid document with PEARSON, INC. for furnishing and installing heating and humidity control system at McMillen Ice Rink.	608
S-11-74	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC., for One (1) Four-Door Sedan.	609
S-12-74	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for 1974 Cab and Chassis.	610
S-13-74	AN ORDINANCE approving a certain bid document with DON AYRES PONTIAC AND POINSATTE MOTORS, INC. for passenger cars.	610
R-03-74	A RESOLUTION authorizing the issuance and sale of \$500,000. Economic Development Revenue Bonds, Series 1974 (Patton Electric Project) of the City of Fort Wayne, Indiana for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities to be constructed and operated by authorizing execution of a loan agreement to Patton Electric; Providing for the pledge of revenues for the payment of said Bonds; Authorizing an indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	611
R-04-74	A RESOLUTION authorizing the issuance and sale of \$1,100,000. Economic Development Revenue Bonds, Series 1974 (Kunkle Valve Project) of the City of Fort Wayne, Indiana. for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Kunkle Valve authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds: Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	614
Z-01-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D1, D3.	617
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A6 and B6.	618
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A A5.	618
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D14, D16, C14.8. C16.	619
Z-03-73 VETOED	AN ORDINANCE changing certain area from B-4 to RA District.	619
Z-WITHDRAWN	AN ORDINANCE changing certain area from B-4 to RA District.	620
Z-WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1.	620
S-14-74	AN ORDINANCE approving Change Order No. 1 with BERCOT, INC. in connection with Neuhaus Ditch Interceptor Sewer, Resolution No. 853.	620
S-15-74	AN ORDINANCE approving a contract with Maumee Construction for paving Emma Avenue.	621
S-16-74	AN ORDINANCE approving City Utilities Purchase Orders for the purchase of material to be used in Street Lighting Projects for 1974.	622
S-17-74	AN ORDINANCE approving contracts with GENERAL ELECTRIC COMPANY, NATIONAL MILL SUPPLY and ITE IMPERIAL CORPORATION for Substation Equipment.	623
<u>2-26-74</u>		
S-18-74	AN ORDINANCE approving a contract with PREFERRED PRODUCTS SALES COMPANY for Street Lighting Program.	623
S-19-74	AN ORDINANCE approving a certain bid document with BRATEMAN BROTHERS for blanket purchase order for police uniforms and equipment.	624
S-20-74	AN ORDINANCE approving a certain bid document with SCHMIDT ELECTRIC for Traffic Signal Installation.	625

S-21-74	AN ORDINANCE approving an agreement with I.B.M. CORPORATION, for Printer.	626
S-22-74	AN ORDINANCE approving a certain bid document for construction of and equipment for in connection with Open Space Project OSC-1008.	626
R-05-74	A RESOLUTION authorizing the temporary advancement of funds from the Local Road & Street, Public Lighting, Redevelopment Capital, Motor Vehicle Highway, Park Trust, Sewer Relief, Park Cumulative, St. Marys River Impounding, and Park General, Fire Pension, Police Pension Emergency Medical Service, and Cumulative Capital funds for the period ending June 30, 1974.	627
R-06-74	A RESOLUTION approving Budget of Fort Wayne and Allen County Convention and Tourism Authority for 12-month Period, Beginning 1-1-74 and Ending 12-31-74.	628
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1 & GG1 by locating a Shopping Center Symbol thereon.	629
R-07-74	A RESOLUTION FOR RETENTION OF FULL FREIGHT AND PASSENGER SERVICE BY PENN CENTRAL RAILROAD IN THE CITY OF FORT WAYNE AND IN THE FORT WAYNE AREA.	630
S-23-74	AN ORDINANCE approving a contract with SCHMIDT ELECTRIC, INC. for street lighting in Tower Heights Addition.	631
S-24-74	AN ORDINANCE approving Change Orders for St. Joe Interceptor Sewer.	631
S-25-74	AN ORDINANCE approving contracts for 18 Units of Transportation and/or capital equipment for various City Utilities Departments.	632
S-26-74	AN ORDINANCE approving blanket purchase orders with NEPTUNE METER COMPANY and TRI-STATE PLUMBING SUPPLY CO., INC for materials for 1974 Water Construction.	634
S-27-74	AN ORDINANCE approving City Utilities Purchase Order No. 3243 for the purchase of a trenching machine for Light Construction.	634
<u>3-12-74</u>		
S-28-74	AN ORDINANCE amending Special Ordinance No. S-84-73 fixing the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne, Indiana, for the year 1974.	635
G-02-74	AN ORDINANCE to amend Chapter 1, Section 24 of the Municipal Code of the City of Fort Wayne	636
R-08-74	A RESOLUTION authorizing payment for Fire Department Vehicle #23	637
R-09-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Office of Emergency Services	638
R-10-74	A RESOLUTION transferring certain funds from full time salaries account of part time salaries account in the 1974 Budget of the Controller	639
R-11-74	A RESOLUTION transferring certain funds from Account #29-890-262 Contractual Services to Account #29-890-722 Properties in the 1974 Budget of the Parking Meters and Lots	640
R-12-74	RESOLUTION FOR REIMBURSEMENT TO CITY CLERK AND CITY COUNCILMEN FROM UTILITIES FUND.	641
R-13-74	Declaratory Resolution	642A
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJI, HHI, JJ2, HH2.	641
G-03-74	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of Babson Drive, Fort Wayne, Allen County, Indiana	642
G-04-74	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of a portion of Fleetwood Avenue	643
G-05-74	AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of certain lots in the City of Fort Wayne	644
<u>3-19-74</u>		
R-15-74	A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Neighborhood Development Program Project (IND. A-14) proposed by the Fort Redevelopment Commission and confirming the Declaratory Resolution Neighborhood Development Program Project (IND. A-14)	647
R-16-74	A RESOLUTION approving the Urban Renewal Plan and the feasibility of relocation for Neighborhood Development Program Project (IND. A-14)	648
<u>3-12-74</u>		
S-29-74	AN ORDINANCE approving a contract with John Behner, Inc. for the construction of sanitary sewers in Eastland Gardens.	645
S-30-74	AN ORDINANCE approving a contract with N.D. "PINK" GRESLEY for mower for Filtration Plant	645

S-31-74	AN ORDINANCE approving a contract with T & F CONSTRUCTION COMPANY for installation of new street lighting.	646
R-Lost	A RESOLUTION OPPOSING BUSING IN THE FORT WAYNE COMMUNITY SCHOOLS TO ACHIEVE EQUAL EDUCATION OPPORTUNITY.	647
<u>3-26-74</u> S-32-74	AN ORDINANCE authorizing the issuance and sale of \$2,000,000 Economic Development Revenue Bonds, Series 1974 (Super Value Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Harrison House Realty, Inc. authorizing execution of the lease; the acceptance of a Lease Guaranty Agreement from Super Valu Stores, Inc.; providing for the pledge of revenues for the payment of said bonds; authorizing a mortgage and indenture of trust appropriate for protection and disposition of such revenues; and authorizing the sale of said bonds.	651
S-33-74	AN ORDINANCE approving a certain bid document with BALTIMORE PAINT AND CHEMICAL CORP. for Pavement Marking Material.	654
S-34-74	AN ORDINANCE approving a certain bid document with PREMIER SALES CORPORATION for "U" Channel Sign Posts.	655
S-35-74	AN ORDINANCE approving contracts with W. A. JONES & SON., INC And INTERNATIONAL HARVESTER CO. for Dump Trucks and Dump Truck Bodies.	656
S-38-74	AN ORDINANCE approving a certain bid document with HALL SIGNS, INC. for Aluminum Sign Blanks.	657
S-37-74	AN ORDINANCE approving a certain bid document for mowers for Park Department.	657
S-36-74	AN ORDINANCE of the City of Fort Wayne approving Report of Fort Wayne Development Commission Re: Proposed Loan for the financing of Economic Development Facilities By Patton Electric Company, Inc. and Authorizing the issuance and sale of Revenue Bonds and the loan of proceeds thereof to Patton Electric Company, Inc. for the purpose of Acquiring and constructing certain industrial facilities and other matters relating thereto.	658
S-39-74	AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$2,200,000 ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1974 (SUPER VALU PROJECT) OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF ACQUIRING REAL ESTATE, MACHINERY, EQUIPMENT AND RELATED PROPERTY COMPRISING ECONOMIC DEVELOPMENT FACILITIES FOR LEASE AND SALE TO HARRISON HOUSE REALTY, INC.; AUTHORIZING EXECUTION OF THE LEASE; THE ACCEPTANCE OF A LEASE GUARANTY AGREEMENT FROM SUPER VALU STORES, INC.; PROVIDING FOR THE PAYMENT OF SAID BONDS; AUTHORIZING A MORTGAGE AND INDENTURE OF TRUST APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES; AND AUTHORIZING THE SALE OF SAID BONDS.	660
R-18-74	A RESOLUTION OF THE CITY OF FORT WAYNE, INDIANA APPROVING THE FINANCING BY THE CITY OF FORT WAYNE, INDIANA OF ECONOMIC DEVELOPMENT FACILITIES FOR SUPER VALU STORES, INC. AND ITS WHOLLY OWNED SUBSIDIARY, GARRISON HOUSE REALTY, INC.	663
R-19-74	A RESOLUTION authorizing payment for repairs to Police Department Vehicle.	665
R-20-74	A RESOLUTION authorizing payment for repairs to City-owned vehicle.	665
R-21-74	A RESOLUTION REQUESTING ACTION BY CITY PLAN COMMISSION TO AMEND ZONING ORDINANCE OF THE CITY OF FORT WAYNE.	666
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.	667
S-40-74	AN ORDINANCE approving Change Order No. 1 of Bowen Engineering covering additional work on Section V of the Large Scale Demonstration of Treatment of Storm-Caused Overflow by Screening Method.	668
S-41-74	AN ORDINANCE approving contracts with C. D. ARNOLD COMPANY and ALUM-ELEC. STRUCTURES, INC. for two new substations.	669
S-42-74	AN ORDINANCE approving Agreements To Purchase Real Estate for the Avondale Substation Expansion.	670
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC10.	671
R-Lost	A RESOLUTION CONCERNING WESTFIELD VILLAGE.	671
<u>3-29-74</u>		
R-22-74	A RESOLUTION ratifying and approving a Consortium Agreement under the Comprehensive Employment and Training Act of 1973.	672
<u>4-09-74</u>		
R-27-74	A RESOLUTION OF COMMENDATION TO FIRE FIGHTER, DONALD ALSPAUGH	673

S-43-74	AN ORDINANCE authorizing the issuance and sale of \$1,100,000 Economic Development Revenue Bonds Series 1974 (Kunkle Valve Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Kunkle Valve Company, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	674
S-44-74	AN ORDINANCE approving a certain bid document with MOELLERING CONSTRUCTION CO., for Pond Improvements for Reservoir Park, Open Space Land Program Part II, Sub-Project A-HUD Open Space Land Project OSC-1008.	675
S-45-74	AN ORDINANCE approving a certain bid document with DUTHLER FORD, INC., for pick-up truck.	676
S-46-74	AN ORDINANCE approving a certain bid document with CEKA INC. for Demolition.	677
R-23-74	Resolution authorizing the temporary advancement of funds from the Redevelopment District Capital, Motor Vehicle Highway, Flood Prevention & River Improvement, St. Marys River Impounding, Local Road & Street, Accident Report Account, Inner City Storm Relief Project, Neighborhood Youth Corp, Fire Fighting Fund, Open Space Program funds to the General Fund for the period ending June 30, 1974.	677
R-24-74	A RESOLUTION transferring certain funds in the 1974 Budget of Human Resources.	678
R-25-74	A RESOLUTION authorizing transfer of money from the General Fund to the Street Department.	679
R-26-74	A RESOLUTION reducing certain line items in the 1974 Civil City Budget.	679
Z-03-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-17.	680
Z-04-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1.	681
Z-05-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A12 & AA12.	682
Z-06-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. GG3.	683
G-06-74	AN ORDINANCE amending Section 12 of Article I of Chapter 28 of the Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.	684
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-13.	688
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC13 and DD13.	689
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ2.	689
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF11 and FF13.	689
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF13.	689
S-48-74	AN ORDINANCE approving a certain bid document with CENTRAL SUPPLY CO. for replacement parts for inventory for Water Construction Department.	690
S-47-74	AN ORDINANCE approving a Lease with Mandel E. & Judith C. Himelstein for property at the Southwest corner of Pontiac & Calhoun.	689
S-49-74	AN ORDINANCE approving City Utilities Purchase Orders for the purchase of materials to be used in Construction of two new substations.	691
G-07-74	AN ORDINANCE prohibiting the Distribution or exhibition of Obscene Matter or Performances.	692
4-23-74 S-50-74	AN ORDINANCE approving a contract w/Hipskind Asphalt Corporation for sidewalk repairs in Third Councilmanic District.	694
S-51-74	AN ORDINANCE approving a contract with HIPSKIND ASPHALT for sidewalk repairs.	694
S-52-74	AN ORDINANCE approving a certain bid document with GARDEN AND TURF SUPPLY COMPANY.	695
G-09-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	696
S-53-74	AN ORDINANCE approving a certain bid document with DELAGRANGE FORD SALES, INC. and ALLEN COUNTY TRACTOR SALES, INC.	697
S-54-74	AN ORDINANCE approving a contract with L. W. DAILEY, INC. for street, sidewalk sewer and lighting improvements.	697
S-55-74	AN ORDINANCE approving a certain bid document with DELEGRANGE FORD SALES, INC. for 1974 Truck.	698

R-29-74	A RESOLUTION authorizing the issuance and sale of \$290,000 Economic Development Revenue Bonds, Series 1974 (Keystone Distribution Park Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Keystone Distribution Park authorizing the execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	699
G-08-74	AN ORDINANCE amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.	702
R-28-74	A RESOLUTION IN COMMENDATION OF THE CITY CLERK.	703
S-56-74	AN ORDINANCE RATIFYING, CONFIRMING AND APPROVING AGREEMENTS WITH THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, INDIANA FOR CONVEYANCE OF REAL ESTATE TO THE CITY OF FORT WAYNE, INDIANA.	704
Z-07-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F7 & G7.	704
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF8.	705
R-30-74	RESOLUTION CONCERNING CONSTRUCTION IN AREAS OF THE CITY IN WHICH THERE IS DANGER OF FLOODING.	705
R-31-74	Application for flood insurance.	707
S-57-74	AN ORDINANCE approving contracts for materials for Light Construction.	708
S-58-74	AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS for a 1974 Truck.	708
<u>5-14-74</u>		
S-59-74	AN ORDINANCE approving a certain bid document with PAVE-MARK CONTRACTORS for pavement mark-in compound.	709
S-60-74	AN ORDINANCE authorizing the issuance and sale of \$290,000 Economic Development Revenue Bonds Series 1974 (Keystone Distribution Park Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Keystone Distribution Park authorizing execution of the lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	710
R-32-74	A RESOLUTION authorizing transfer of funds from insurance proceeds to Motor Equipment in the 1974 Police Department Budget.	711
R-33-74	A RESOLUTION authorizing the necessary preliminary steps for the study of the possibility of the issuance of general obligation bonds to finance street and other major capital improvements.	712
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A2.	713
Z-08-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA7.	713
G-10-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	714
G-11-74	AN ORDINANCE prohibiting the Distribution or exhibition of Obscene Matter of Performances and Repealing General Ordinance No. G-07-74, dated April 9, 1974.	714
S-61-74	AN ORDINANCE approving an Agreement with Engle Ridge Corporation for Sewer Extension.	716
S-62-74	AN ORDINANCE approving a contract with TREATY COMPANY for purchase of materials for curb and sidewalk program.	717
<u>5-28-74</u>		
S-63-74	AN ORDINANCE approving a certain bid document with WATER EQUIPMENT CORPORATION for equipment for the Humane Commission.	718
S-64-74	AN ORDINANCE approving a certain bid document with HOUSE OF HONDA for Police Department motorcycles.	718
S-65-74	AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for utility truck for Traffic Engineering.	719
S-66-74	AN ORDINANCE approving a contract with L. W. DAILEY, INC. for improvements in Colonial Park Addition.	720
S-67-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for paving a portion of Ley Road.	721

S-68-74	AN ORDINANCE approving a blanket purchase order with GLADIEUX REFINERY, INC. for materials for Street maintenance.	721
S-69-74	AN ORDINANCE approving a certain bid document with BREMER'S INC. for industrial equipment trailers for the Park Department.	722
S-70-74	AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. and DUTHLER FORD for police cars.	723
S-71-74	AN ORDINANCE approving a certain bid document with C. A. LEHMAN & SONS, INC. for construction of building for Reservoir Park, Open Space Land Program Part II, Project OSC-1008.	723
S-72-74	AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS, INC. for purchase of 1974 Sedan for Right-of-way Permit Engineering.	724
S-73-74	AN ORDINANCE of the City of Fort Wayne approving Report of Fort Wayne Development Commission RE: Proposed Loan for the financing of Economic Development Facilities By Gladieux Refinery, Inc. and Authorizing the issuance and sale of Revenue Bonds and the loan of proceeds thereof to Gladieux Refinery, Inc. for the purpose of Acquiring and constructing certain industrial facilities and other matters relating thereto.	725
R-34-74	A RESOLUTION authorizing the transfer of funds Account No. 770-2-261 to Account No. 770-4-44 in the 1974 Budget of Traffic Engineering Department.	726
R-35-74	A RESOLUTION authorizing the transfer of certain funds in the 1974 Budget of the Department of Human Resources.	727
R-36-74	A RESOLUTION transferring certain funds from insurance proceeds to Motor Equipment in the 1974 Budget of the Police Department.	728
R-37-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Fire Pension.	728
R-38-74	A RESOLUTION releasing funds from insurance proceeds for payment of Police Car # 97.	729
R-39-74	A RESOLUTION transferring certain sums in the 1974 Budget of Right Of Way Permit Department.	730
R-40-74	A RESOLUTION authorizing the temporary advancement of funds from the General Fund to the Community Renewal Program Fund for the period ending December 31, 1974.	730
R-41-74	A RESOLUTION authorizing the temporary advancement of funds from the General Fund to the Revenue Sharing Trust Fund for the period ending December 31, 1974.	731
R-42-74	A RESOLUTION authorizing the Department of Community Development and Planning in the Office of the Mayor to apply for a Comprehensive Planning Grant from H. U. D.	732
R-43-74	A RESOLUTION authorizing the issuance and sale of \$500,000. Economic Development Revenue Bonds, Series 1974 (Gladieux Refinery, Inc. Project) of the City of Fort Wayne, Indiana for the purpose of acquiring machinery, equipment and related property comprising economic development facilities to be constructed and operated by authorizing execution of a loan agreement to Gladieux Refinery, Inc.; providing for the pledge of revenues for the payment of said Bonds; Authorizing an Indenture of Trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	733
S-74-74	AN ORDINANCE approving a Lease Agreement with Haskell B. Schultz for off-street parking in the 1900 Block of South Calhoun Street.	735
Z-09-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-14.	736
Z-10-74	AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.	737
WITHDRAWN	AN ORDINANCE amending chapter 30 of the Fort Wayne Municipal Code by amending Sections 37, 38, 39, 40, 41, 43, and 44.	738
G-12-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Nevada Avenue in the City of Fort Wayne.	739
G-13-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	739
G-14-74	AN ORDINANCE regulating unsafe buildings and premises in Allen County.	740
S-75-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Phenie Street Project.	748
S-76-74	AN ORDINANCE approving a contract with MANNING ENVIRONMENTAL CORP. for materials for W.P.C. Engineering Department.	749
S-77-74	AN ORDINANCE approving a contract with NIEMEYER CORP. for water main extension in Tillman Road Hessen Cassel area (Trier Ridge Park).	750
S-78-74	AN ORDINANCE approving a contract with GRAYBAR ELECTRIC COMPANY for materials for street lighting.	750

S-79-74	AN ORDINANCE approving CITY UTILITIES PURCHASE ORDER NO. 4030 with UNITED STATES STEEL SUPPLY for the purchase of chain link fence for Avondale substation.	751
S-80-74	AN ORDINANCE approving an Agreement for construction of a sanitary sewer extension on Kin- nerk Road.	752
<u>6-11-74</u>		
S-81-74	AN ORDINANCE approving a contract with A. GROSJEAN & SON for Kelly Drive Curbwalk.	752
S-82-74	AN ORDINANCE approving a contract with MAUMEE CONSTRUCTION CORPORATION for sidewalk repairs in Lafayette Place.	753
S-83-74	AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET and DUTHLER FORD for Fire Department vehicles.	754
S-84-74	AN ORDINANCE approving a contract with HIPSKIND ASPHALT CORPORATION for improvements in Lincoln Life Project area.	755
S-LOST	AN AMENDMENT TO AMENDED SPECIAL ORDINANCE NO. S-84-73 FIXING THE SALARIES OF EACH AND EVERY APPOINTIVE OFFICER, EMPLOYEE, DEPUTY, ASSISTANT, DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY OF FORT WAYNE, INDIANA FOR THE YEAR 1974, AND REPEALING SECTION 2 THEREOF.	755
Z-11-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. All, B11.	756
Z-12-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-7.	757
Z-13-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA5.	758
Z-14-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C02.	758
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. JJ2.	759
WITHDRAWN	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A9.	759
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C5.	759
G-17-74	AN ORDINANCE amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, by adding thereto "Article X, Flood Plain Management and Control."	760
G-15-74	AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.	765
G-18-74	AN ORDINANCE confirming Declaratory Resolution No. R-13-74 and the execution of the policy thereof, and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company.	766
G-16-74	AN ORDINANCE superceding General Ordinance No. G-11-64, adopting the provisions of the "Abandoned Vehicle Act" of 1969, Ch. 374, Section 1 (IC 9-9-1-1 et seq.) for the implemen- tation by and for the City of Fort Wayne, prohibiting the abandoning of vehicles on public or private premises therein, and providing penalties for the violation thereof.	767
S-85-74	AN ORDINANCE approving a contract with JOHN GALT, INC. and HAROLD PALMER for Sanitary Sewer in Market Place of Canterbury.	769
S-86-74	AN ORDINANCE approving an Agreement with INDIANA VILLA CAPRI for sanitary sewer.	769
S-87-74	AN ORDINANCE approving a contract with MIDWEST HI-RANGER, DIVISION OF MOBILE AERIAL TOWERS for purchase of Hi-Ranger Bucket Truck.	770
S-88-74	AN ORDINANCE approving an Agreement with HIPSKIND ASPHALT CORPORATION for water line mod- ifications at Goshen and Harris Roads.	771
S-89-74	AN ORDINANCE approving a contract with EVNIREX, INC., A REXNORD COMPANY for purchase of replacement materials for Three Rivers Filtration Plant.	771
X-01-74	AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.	772
X-02-74	AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.	773
<u>7-9-74</u>		
S-90-74	AN ORDINANCE approving a certain bid document for mowers for the Park Department.	774
S-91-74	AN ORDINANCE approving contracts with INTERNATIONAL HARVESTER and ERNST TRUCK EQUIPMENT for purchase of equipment for Street Department.	775
S-92-74	AN ORDINANCE approving an Agreement with WAYNE ASPHALT AND CONSTRUCTION CO., INC. for im- provement of Queen Street.	776

S-93-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for improvements to Lower Huntington Road.	776
S-94-74	AN ORDINANCE approving an agreement with ARLINGTON INVESTMENT CORPORATION for paving Trick Avenue.	777
S-95-74	AN ORDINANCE authorizing the issuance and sale of \$650,000 Economic Development Revenue Bonds Series 1974 (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	778
R-44-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Controller's Office.	780
R-45-74	A RESOLUTION transferring certain funds in the 1974 Budget of Communications Department.	780
R-46-74	A RESOLUTION transferring certain funds in the 1974 Budget of the City Plan Department.	781
R-47-74	A RESOLUTION authorizing the issuance and sale of \$650,000 Economic Development Revenue Bonds, Series 1974, (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	782
R-48-74	A RESOLUTION reducing the Revenue Sharing Appropriation Project "L" #34-942 Police Garage.	785
R-49-74	A RESOLUTION transferring certain funds in the 1974 Police Department Budget.	785
R-50-74	A RESOLUTION Approving application of the provisions of Section 23 of the United States Housing Act of 1937, as amended, to locality.	786
R-51-74	A RESOLUTION authorizing the necessary steps for the study of a rate increase and issuance of revenue bonds by the Water and Water Pollution Control Utility to Finance Capital Improvements.	787
S-96-74	AN ORDINANCE authorizing execution of a Deed to the City of Fort Wayne for the use and benefit of its Department of Redevelopment.	789
S-100-74	AN ORDINANCE ratifying, confirming and approving Agreement with the Board of County Commissioners of Allen County, Indiana for conveyance of real estate to the City of Fort Wayne, Indiana and authorizing the execution and Delivery of a Deed of Conveyance From Said City to The Housing Authority of the City of Fort Wayne.	791
G-19-74	AN ORDINANCE amending Chapters 20 and 22 of the Fort Wayne Municipal Code.	788
S-101-74	AN ORDINANCE ratifying, confirming and approving Agreement with the Board of County Commissioners of Allen County, Indiana for conveyance of real estate to the City of Fort Wayne, Indiana and authorizing the execution and Delivery of a Deed of Conveyance From Said City to The Housing Authority of the City of Fort Wayne.	792
Z-Lost	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B8.	793
Z-Lost	An Ordinance amending Section 3, Article II, and Section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shop, Beauty Parlor, Insurance and similar office uses as Home Occupation Uses in All Districts following Board of Zoning Appeals Approval.	793
G-20-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	794
G-21-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	795
R-56-74	A RESOLUTION approving Phase I of Park Master Plan.	796
R-52-74	A RESOLUTION approving Section 23 Project.	797
S-97-74	AN ORDINANCE approving contracts with GRAYBAR ELECTRIC COMPANY and GENERAL ELECTRIC COMPANY for materials for Light Construction.	797
S-98-74	AN ORDINANCE approving a contract with EAST JORDAN IRON WORKS for materials for Curb and Sidewalk Program.	798
S-99-74	AN ORDINANCE approving a contract with CENTRAL SUPPLY COMPANY for materials for Light Construction.	799

7-23-74

S-192-74	AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for re-surfacing of Lafayette Street.	800
S-103-74	AN ORDINANCE approving a certain bid document with SINCLAIR RADIO LABORATORIES, INC. for filtering and coupling system.	800
S-104-74	AN ORDINANCE approving a contract with DEEDS EQUIPMENT COMPANY for equipment for Street Department.	801
S-105-74	AN ORDINANCE approving a certain bid document with A. M. TILBURY, INC. for construction of two multipurpose courts at Study and Hanna Park.	802
G-23-74	AN ORDINANCE authorizing the investment of certain funds of the City of Fort Wayne, Indiana, in certain obligations of the United States and of Federal instrumentalities which are fully guaranteed by the United States, in certificates of deposit issued by banks and mutual savings banks incorporated under the laws of Indiana, and in national banking associations having their principal banking offices in the State of Indiana, establishing limitations on the maturity of investments already made.	803
R-54-74	A RESOLUTION authorizing the issuance and sale of \$800,000 Economic Development Revenue Bonds, Series 1974 (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	805
R-55-74	A RESOLUTION Repealing Resolution R-47-74.	808
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB7.	809
Z-15-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC 10.	809
G-22-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	810
R-53-74	A RESOLUTION confirming the Amended Declaratory Resolution concerning the Neighborhood Development Program (IND. A-k4) Adopted by the Fort Wayne Redevelopment Commission.	811
S-106-74	AN ORDINANCE approving Change Order No. 2 in connection with St. Joe Interceptor Sewers.	811
S-107-74	AN ORDINANCE approving a contract with T & F CONSTRUCTION for installation of ornamental lighting in Continental Park Addition.	812
S-108-74	AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES, INC. for sidewalk repairs in fourth District.	813
S-109-74	AN ORDINANCE approving a contract with CONTINENTAL CONSTRUCTION COMPANY for sidewalk repairs in first and fifth Councilmanic Districts.	814
S-108-74	AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES, INC. for sidewalk repairs in fourth District.	813
S-110-74	AN ORDINANCE approving a contract with A. GROSJEAN & SON for paving of an alley.	815
S-111-74	AN ORDINANCE approving a contract with A. GROSJEAN & SON for paving of an alley.	815
S-112-74	AN ORDINANCE approving a contract with CRESCENT ELECTRIC COMPANY for materials to be used by Traffic Engineering.	817
S-113-74	AN ORDINANCE approving contracts for materials to be used by Light Construction for 1974 Street Lighting Program.	817
S-114-74	AN ORDINANCE approving contracts with HERSEY METER CO. and GENERAL ELECTRIC COMPANY for materials for Light Construction.	818
S-115-74	AN ORDINANCE approving contracts with GENERAL ELECTRIC COMPANY and PREFERRED PRODUCTS SALES COMPANY for materials for 1974 Street Lighting Program.	819
S-116-74	AN ORDINANCE approving a contract with HERSEY METER COMPANY for purchase of water meter for Indiana-Purdue Campus.	820
S-117-74	AN ORDINANCE approving blanket purchases order for supplies for Water Construction.	820

7-30-74

S-118-74	A SPECIAL ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1975.	821
S-119-74	AN ORDINANCE authorizing the issuance and sale of \$800,000 Economic Development Revenue Bonds Series 1974 (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable Inc. authorizing execution of the Lease, providing for the pledge, of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	823
S-120-74	AN ORDINANCE Repealing Special Ordinance S-95-74.	824
R-57-74	RESOLUTION ON THE DEATH OF FUAD G. BONAHOOM, FORMER CITY CLERK OF THE CITY OF FORT WAYNE, INDIANA.	825

8-13-74

S-121-74	AN ORDINANCE approving contracts between International Harvester Company, Zollner Corporation and American Thread Company and the City of Fort Wayne by and through its Department of Public Safety for fire protection.	826
S-122-74	AN ORDINANCE approving an Agreement with ARCHONICS CORPORATION for consulting services on construction of a new fire training tower and additions to Fire Station No. 11	826
S-123-74	AN ORDINANCE approving a contract with ROBERT J. HOUSER for sidewalk repair in the 4th Councilmanic District.	827
S-124-74	AN ORDINANCE approving a certain bid document with Rieth-Riley Construction Company for reconstruction of the Franke Park Entrance.	828
S-125-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for work on Harvester Drain Project.	829
S-126-74	AN ORDINANCE approving a contract with INDIANA EQUIPMENT COMPANY, INC. for equipment for the Street Department	829
R-58-74	A RESOLUTION authorizing the temporary advancement of funds from the Local Road & Street Fund, Park Trust Fund, Park Cumulative Building Fund, Motor Vehicle Highway Fund, Public Lighting Fund, Inner City Storm Relief Project, St. Marys River Impounding, Flood Prevention & River Improvement, Sewer Relief, Redevelopment District Capital funds to the General Fund, Park General, Fire Pension, Police Pension, Emergency Medical Service, Community Renewal Program funds for the period ending December 31, 1974.	830
S-127-74	AN ORDINANCE acknowledging acceptance of Environmental Protection Agency Grant	831
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA9	832
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. GG2	832
S-128-74	AN ORDINANCE approving an agreement with Little Turtle Territories, Inc. for construction of a sanitary sewer extention.	833
R-59-74	A RESOLUTION concerning parking on South Calhoun Street South of Pontiac Street	834

8-26-74

S-148-74	AN ORDINANCE fixing the tax levy of the City of Fort Wayne for the year 1975.	835
----------	---	-----

8-27-74

S-129-74	AN ORDINANCE approving change Order No. 2 in connection with Street Resurfacing at Glencairn and Fairlawn Pass.	836
S-130-74	AN ORDINANCE approving a contract with NOBIS-WESTROP, INC. for construction of McArthur Drive Feeder Main.	836
S-131-74	AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for Sidewalk Repair on Harrison Street.	837
S-132-74	AN ORDINANCE approving contracts with JOHN DEHNER, INC. for Storm Sewers and Streets, Curbs, Sidewalks and Lights in the Waynedale Area, Phase I.	838
S-133-74	AN ORDINANCE approving Change Order No. 3 in connection with the Stormwater Demonstration Project.	839

S-134-74	AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. for sedans for Board of Works Car Pool.	839
S-135-74	AN ORDINANCE authorizing the issuance and sale of \$600,000 Economic Development Revenue Bonds Series 1974 (Grant-Holladay Construction Corp. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Grant-Holladay Construction Corp. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	840
S-136-74	AN ORDINANCE authorizing the issuance and sale of \$550,000 Economic Development Revenue Bonds Series 1974 (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Paramount Industries, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	842
S-137-74	AN ORDINANCE authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds Series 1974 (Gunnar Elliott Ice Arena Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Gunnar Elliott Ice Arena, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	843
S-138-74	AN ORDINANCE authorizing the issuance and sale of \$400,000 Economic Development Revenue Bonds Series 1974 (Colonial Mortgage Company Project) comprising economic development facilities for lease and sale to Colonial Mortgage Company of Indiana, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	845
S-139-74	AN ORDINANCE authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds Series 1974 Fort Wayne Foundry Corp. Project of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Foundry, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	847
R-60-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Board of Public Safety.	848
R-61-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Street Department.	849
R-62-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Street Department.	850
R-63-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Board of Public Works.	850
R-64-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Humane Commission.	851
R-65-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Humane Commission.	852
R-66-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Humane Commission.	852
R-67-74	A RESOLUTION authorizing the issuance and sale of \$600,000 Economic Development Revenue Bonds, Series 1974 (Grant-Holladay Construction Corp. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Grant Holladay Construction Corp. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	853
R-68-74	A RESOLUTION authorizing the issuance and sale of \$550,000 Economic Development Revenue Bonds, Series 1974 (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Paramount Industries, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	856
R-69-74	A RESOLUTION authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds, Series 1974 (Gunnar Elliott Ice Arena Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Gunnar Elliott Ice Arena, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	859

R-70-74	A RESOLUTION authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds, Series 1974 (Fort Wayne Foundry Corp. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Foundry Corp. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing the protection and disposition of such revenues; and Authorizing the sale of said bonds.	862
R-71-74	A RESOLUTION authorizing the issuance and sale of \$400,000 Economic Development Revenue Bonds, Series 1974 Colonial Mortgage Co. Project of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Colonial Mortgage Co. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	865
S-140-74	AN ORDINANCE ratifying, confirming and approving Agreement with the Board of County Commissioners of Allen County, Indiana for conveyance of real estate to the City of Fort Wayne, Indiana and authorizing the execution and Delivery of a Deed of Conveyance From Said City to the Housing Authority of the City of Fort Wayne.	868
S-141-74	AN ORDINANCE approving a contract with HIPSKIND ASPHALT CORPORATION for improvement to Sherman Boulevard.	869
S-142-74	AN ORDINANCE approving a contract with T & F CONSTRUCTION CORP. for installation of street lighting in Casselwood Terrace Addition.	870
S-143-74	AN ORDINANCE approving contracts for the purchase of materials to be used by Water Construction on Waynedale, Phase 1.	870
S-144-74	AN ORDINANCE approving a contract with MIDLAND PIPING for materials for W. P. C. Maintenance on Lincoln Life Project.	871
S-145-74	AN ORDINANCE approving a contract with BERCOT, INC. for water line extension in Rolling Green Addition.	872
S-146-74	AN ORDINANCE approving a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY for materials for signal lighting and signing of Berry/Harrison Intersection.	873
S-147-74	AN ORDINANCE approving a blanket purchase order to Business Equipment for items purchased from July 1, 1974 to June 30, 1975.	874
<u>8-16-74</u>		
S-148-74	AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1975.	874
<u>9-10-74</u>		
R-72-74	A RESOLUTION authorizing the sale of certain real property owned by the City of Fort Wayne, Indiana	875
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map NO. CC4	876
R-73-74	A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the amendment of the Hanna-Creighton Urban Renewal Project I, IND. R-51 proposed by the Fort Wayne Redevelopment Commission and Confirming the Declaratory Resolution-Hanna-Creighton Urban Renewal Project I, IND. R-51 of the Fort Wayne Development Commission	877
S-149-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for replacement of odd existing water mains in the Waynedale area.	877
S-150-74	AN ORDINANCE approving a contract with INDUSTRIAL FUEL OIL COMPANY for fuel oil at Filtration Plant.	878
S-151-74	AN ORDINANCE approving a contract with ALLIED CHEMICAL for materials for W.P.C. Plant	879
<u>9-13-74</u>		
R-74-74	A RESOLUTION authorizing the Mayor to agree to certain clarification in a Lease Agreement with Indiana & Michigan Electric Company.	880
<u>9-24-74</u>		
S-152-74	AN ORDINANCE approving a bid document for the installation and construction of fountains at Reservoir Park.	881
S-153-74	AN ORDINANCE approving a certain bid document for a boiler for McCulloch Recreation Center.	882
S-154-74	AN ORDINANCE approving a contract with SAGETY EQUIPEMTN CO., INC. for Emergency Medical Services vehicles.	882

S-155-74	AN ORDINANCE approving a certain bid document for the furnishing of street trees.	883
S-156-74	AN ORDINANCE repealing Special Ordinance No. S-136-74.	884
R-75-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Street Department.	885
R-76-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Fire Department.	885
R-77-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Park Department.	886
R-78-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Police Department.	887
R-79-74	A RESOLUTION repealing Resolution No. R-68-74.	887
R-80-74	A RESOLUTION authorizing the issuance and sale of \$500,000 Economic Development Revenue Bonds, (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Paramount Industries, Inc. authorizing the execution of the necessary instruments; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bond.	888
Z-16-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB7.	890
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E1.	891
G-24-74	AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.	891
G-25-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public utility.	893
S-157-74	AN ORDINANCE approving an agreement with Fort Wayne Community Schools for sewer extension serving Blackhawk Junior High School.	894
<u>10-8-74</u>		
S-158-74	AN ORDINANCE approving a certain bid document with MEEK-MACK, INC. for vehicles for Fire Department.	895
S-159-74	AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS for vehicles for the Board of Public Works.	895
R-81-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Law Department.	896
R-82-74	A RESOLUTION transferring certain funds from insurance monies into the 1974 Budget of the Fire Department.	897
R-83-74	A RESOLUTION authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds (Fort Wayne Wire Die Company) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Wire Die Company authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	897
R-84-74	A RESOLUTION authorizing the issuance and sale of \$1,500,000 Economic Development Revenue Bonds, (Tri-State Pipeline, Inc. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Tri-State Pipeline, Inc. authorizing the execution of the necessary instruments; Providing for pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	900
G-26-74	AN ORDINANCE approving a project of the Authority of the City of Fort Wayne to purchase single family homes and land from FHA and other sources for rehabilitation, rental and sale to low income families and approval of a loan of \$200,000 to be repaid by the Housing Authority and guaranteed by the City of Fort Wayne.	903
Z-17-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G7.	904
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A6.	904
S-161-74	AN ORDINANCE approving contracts for the remodeling of the Water Construction Building on Wallace Street.	905
S-162-74	AN ORDINANCE approving a contract with ROCKWELL MANUFACTURING COMPANY for materials for Water Construction.	906

S-163-74	AN ORDINANCE approving a contract with DEEDS EQUIPMENT COMPANY for material for Water Pollution Control Maintenance.	906
X-03-74	AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 1.	907
<u>10-22-74</u>		
S-164-74	AN ORDINANCE approving a certain bid document with PLANTATION SUPPLY CO., INC. for labor and material for landscaping of Reservoir Park.	910
S-165-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for improving Council Drive.	911
S-166-74	AN ORDINANCE authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Wire Die Realty Co. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.	912
S-167-74	AN ORDINANCE authorizing the issuance and sale of a \$1,500,000 Economic Development Revenue Bond (Tri-State Pipeline, Inc. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Tri-State Pipeline, Inc., authorizing execution of the Loan Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bond.	913
R-168-74	AN ORDINANCE amending Chapter 29, Section 18 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended by Special Ordinance S-409-70 as further amended by Special Ordinance No. S-66-73 and concerning taxicabs.	915
G-27-74	AN ORDINANCE of the City of Fort Wayne, Indiana, authorizing the issuance and sale of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the the cost of acquiring and construction new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith.	916
Z-18-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F2.	919
G-28-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Rathert Lane in the City of Fort Wayne.	920
G-29-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Shoresworth Trail in the City of Fort Wayne.	921
G-30-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne.	921
R-85-74	A RESOLUTION of the Common Council of the City of Fort Wayne, approving a sketch plan of development for the West Central Neighborhood Development Program Project (INC. A-14).	922
R-86-74	A RESOLUTION authorizing the City of Fort Wayne to enter into a contract with Historic Fort Wayne, Inc. and Allen County-Fort Wayne Historical Society, Inc. for the construction, development, operation and ownership of "Old Fort Wayne."	923
S-169-74	AN ORDINANCE authorizing the execution of a deed to Levin & Sons, Inc. for certain real estate owned by the City of Fort Wayne.	924
S-171-74	AN ORDINANCE approving a contract with BERCOT, INC. for Sanitary Sewer in area of Reckeweg Road and Ridgelane Drive.	925
X-04-74	AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3.	926
<u>11-12-74</u>		
S-172-74	AN ORDINANCE authorizing the issuance and sale of a \$250,000 Economic Development Revenue Bond (J.E. & B. By Pass & 27, Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by J.E. & B. By Pass & 27, Inc.. authorizing execution of the Loan Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bond.	927
S-173-74	AN ORDINANCE approving a contract with A. GROSJEAN & SON for repairs to certain intersections and areas of Pettit Avenue.	929

S-174-74	AN ORDINANCE approving a certain bid document with RCA for equipment for Board of Safety.	929
S-175-74	AN ORDINANCE approving a contract with ASPHALT EQUIPMENT COMPANY for equipment to manufacture asphalt for the Street Department.	930
R-88-74	A RESOLUTION authorizing the issuance and sale of \$250,000 Economic Development Revenue Bonds, (J.E. & B. By Pass & 27, Inc. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic facilities for use by J.E. & B. By Pass & 27, Inc. authorizing the execution of the necessary instruments; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.	931
R-89-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Police Department.	934
R-90-74	A RESOLUTION transferring certain sums in the 1974 Budget of the Urban Affairs.	935
S-176-744	AN ORDINANCE approving a certain bid document with GENERAL ELECTRIC for equipment for Board of Safety.	935
S-177-74	AN ORDINANCE approving Change Order No. 4 in connection with Stormwater Demonstration Grant Project.	936
<u>11-26-74</u>		
S-178-74	AN ORDINANCE authorizing the City of Fort Wayne to Issue Its "Economic Development First Mortgage Revenue Bonds (Fort Wayne Wire Die Realty Company Project)" in the Principal Amount of Eight Hundred and Fifty Thousand Dollars (\$850,000) and Approving and Authorizing Other Actions In Respect Thereto.	937
S-179-74	AN ORDINANCE Repealing Special Ordinance No. S-166-74.	938
S-180-74	AN ORDINANCE approving a contract with HEFNER CHEVROLET and ERNST TRUCK EQUIPMENT for equipment for the Street Department.	939
S-181-74	AN ORDINANCE approving Change Order No. 3 in connection with St. Joe Interceptor.	940
R-91-74	A RESOLUTION repealing Resolution No. R-83-74.	941
R-92-74	A RESOLUTION authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Wire Die Realty Company, authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing the sale of said Bonds.	941
R-93-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Street Department	944
R-94-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Right Of Way Permits Department.	945
R-95-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Park Department.	945
R-96-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Park Department.	946
R-97-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Fire Department.	947
R-98-74	A RESOLUTION transferring certain funds in the 1974 Budget of Emergency Medical Services.	948
R-99-74	A RESOLUTION transferring certain funds in the 1974 Budget of Board of Aviation.	948
R-100-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Board of Aviation.	949
R-101-74	A RESOLUTION transferring certain funds to pay repairs of Police Vehicle #11111.	950
R-102-74	A RESOLUTION transferring certain funds in the 1974 Budget of Fire Pension Fund.	950
R-103-74	A RESOLUTION transferring certain funds in the 1974 Department of Redevelopment.	951
R-104-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Humane Commission.	952
R-105-74	A RESOLUTION authorizing payment for repairs to Police Vehicle #97.	953
G-31-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street in the City of Fort Wayne.	953
G-32-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street in the City of Fort Wayne.	954
G-33-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street in the City of Fort Wayne.	955

G-34-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street and alley in the City of Fort Wayne.	956
Z-19-74	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB7.	957
R-106-74	A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the West Main Street Renewal Project proposed by the Fort Wayne Re-development Commission and confirming the Declaratory Resolution West Main Street Renewal Project.	957
<u>12-10-74</u>		
S-182-74	AN ORDINANCE approving a certain bid document for the installation of ball diamond safety fences at various park diamonds.	958
S-183-74	AN ORDINANCE approving a contract with IBM for purchase of Traffic Control Computer	959
S-184-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. in connection with Sewer Resolution No. 284-1974.	960
S-185-74	AN ORDINANCE approving a contract for the purchase of fuel oil required by City Utilities and Civil City.	961
S-186-74	AN ORDINANCE approving a contract with INTERNATIONAL SALT COMPANY for the purchase of salt.	962
S-187-74	AN ORDINANCE repealing Special Ordinance No. S-167-74	962
S-188-74	AN ORDINANCE authorizing the City of Fort Wayne to Issue its "Economic Development First Mortgage Revenue Bonds (Tri-State Pipeline, Inc. Project)" in the Principal Amount of One Million Five Hundred Thousand Dollars (\$1,500,000) and Approving and Authorizing Other Actions in Respect thereto.	963
R-107-74	A RESOLUTION authorizing application for funds under Title I of the Housing and Community Development Act of 1974.	964
R-108-74	A RESOLUTION transferring funds in the 1974 Budget of the Park Department.	965
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C14.	966
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B7.	966
Z-LOST	AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB1	967
G-35-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana.	967
G-36-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana.	968
S-189-74	AN ORDINANCE approving contracts with ROBERT J. HOUSER for curb and sidewalk construction in connection with Resolution No. 5648-74	969
S-190-74	AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for construction of sidewalks in connection with Resolution No. 5648-74.	970
S-191-74	AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for sidewalk construction in connection with Resolution No. 5648-74.	970
S-192-74	AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for sidewalk repairs in connection with Resolution No. 5649-74.	971
S-193-74	AN ORDINANCE approving a contract with RIETH-RILEY CONSTRUCTION CO., INC. for street improvement in connection with Resolution No. 5672-74.	972
S-194-74	AN ORDINANCE approving a contract with A. GROSJEAN & SON for sidewalk Repair in connection with Resolution No. 5665-74.	973
S-195-74	AN ORDINANCE approving a contract with ROBERT J. HOUSER for construction of sidewalks in connection with Resolution No. 5668-74.	973
S-196-74	AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Street improvement in connection with Resolution No. 5666-74.	974
S-197-74	AN ORDINANCE approving a contract with ROBERT J. HOUSER for sidewalk construction in connection with Resolution No. 5664-74.	975
S-198-74	AN ORDINANCE approving a contract with A. GROSJEAN & SON for curb and sidewalk construction in connection with Resolution No. 5674-74.	976
S-199-74	AN ORDINANCE approving a contract with John dehner, Inc. for water system improvement under Water Contract 74-2	976

S-200-74	AN ORDINANCE approving an Agreement with MEISTER-GRABER for Sewer Extension	977
S-201-74	AN ORDINANCE approving Change Order No. 3 in connection with St. Joe Interceptor Sewer Resolution 272.	978
X-05-74	AN ORDINANCE amending Annexation Ordinance No. X-03-74 by adding a Section thereto.	979
<u>12-17-74</u>		
S-202-74	AN ORDINANCE approving a certain bid document with General Electric for Tone Alert Receivers.	979
S-203-74	AN ORDINANCE approving a contract with TRANSMISSION & FLUID EQUIPMENT	980
S-204-74	AN ORDINANCE approving a certain bid document with MOTOROLA, INC. for Radio tubes and Radio Vibrators for the Board of Public Safety.	981
R-109-74	A RESOLUTION transferring certain funds in the 1974 Budget of the Human Resources Department.	981
R-110-74	A RESOLUTION authorizing the transfer of funds in the 1974 Budget of the Street Engineering Department.	982
R-111-74	A RESOLUTION transferring certain funds in the 1974 Police Department Budget.	983
R-112-74	A RESOLUTION authorizing repairs to Police Vehicle #122.	983
G-37-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana.	984
G-38-74	AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana.	985
<u>12-27-74</u>		
G-39-74	AN ORDINANCE concerning the construction of additional improvements and extensions to the sewage works owned and operated by the city of Fort Wayne, Indiana, the issuance of additional revenue bonds to provide funds for application on the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the holders of said bonds, and other matters connected therewith.	986
G-40-74	AN ORDINANCE of the City of Fort Wayne, Indiana, concerning the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, and matters connected therewith.	997
G-41-74	AN ORDINANCE amending General Ordinance No. G-30-68 establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, and repealing all ordinances or parts of ordinances in conflict therewith.	1005

FRONT

SPECIAL ORDINANCE NO. S-745-71

AN ORDINANCE amending Special Ordinance No. S-515-70 fixing the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne, Indiana, for the year 1971.

WHEREAS, a Program & Statistical Analyst has been acquired for the City Controller's Office; and

WHEREAS, it has been determined that the annual salary of said Program and Statistical Analyst shall be in the amount of \$10,500.00, to be paid out of Federal funds:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Special Ordinance No. S-515-70 be amended by adding thereto the following:

CITY CONTROLLER'S OFFICE

Program & Statistical Analyst	Annual Salary	\$10,500.00
-------------------------------	---------------	-------------

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-745-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971, at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:21 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

SPECIAL ORDINANCE NO. S-746-71

AN ORDINANCE approving contract with INDUSTRIAL FUEL OILS, INC. for 120,000 gallons of 200 Viscosity #5 Fuel Oil.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 1, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and INDUSTRIAL FUEL OILS, INC., for:

120,000 gallons of 200 Viscosity #5 Fuel
Oil for 1971-1972 season,

for a total cost of \$14,580.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 2747, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Fay seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-746-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E. S. T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:22 o'clock P.M., E.S.T.

Harols S. Zeis
Mayor

Bill No. S-71-09-06

SPECIAL ORDINANCE NO. S-747-71

AN ORDINANCE approving contract with INDUSTRIAL PIPING AND ENGINEERING CORPORATION for Bryant Boiler for Three Rivers Filtration Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 1, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and INDUSTRIAL PIPING AND ENGINEERING CORPORATION, for:

One Bryant 15-S-246 CI Boiler, for the
Three Rivers Filtration Plant,

for a total cost of \$4,719.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 2855, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams-, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-747-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:23 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-09-07

SPECIAL ORDINANCE NO. S-748-71

AN ORDINANCE approving the purchase of real estate in connection with the widening of North Clinton Street, Project ST-414C.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the purchase of the following real estate, at the prices stated, in connection with the widening of North Clinton Street, to-wit:

Part of Lots 2, 3 and 4 in Watterson Place Addition, from Gladys M. Working -	\$30,000.00
Part of Lots 2 and 3 in Block 1 in Irvington Park Addition, from Harvey F. and Leona Beckman -	\$ 8,500.00
Part of Lot 3 in Eliza Hanna, Sr's Subdivision, from Donald C. and Phyllis A. Feichter -	\$ 4,000.00,

all as more particularly set forth in the documents on file in the office of the Board of Public Works and which are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Fay seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-748-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:15 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-09-08

SPECIAL ORDINANCE NO. S-749-71

AN ORDINANCE approving an Agreement with MICK & ROWLAND, INC. for engineering services in connection with the St. Joe Interceptor Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain Agreement approved August 25, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Work, and MICK & ROWLAND, INC. for engineering services in connection with the St. Joe Interceptor Sewer at a cost of \$1,930.00 per mile, all as more particularly set forth in said Agreement, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton

Nays none

Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-749-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

c

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:16 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-09-09

SPECIAL ORDINANCE NO. S-750-71

AN ORDINANCE approving contract with BERCOT-GIBSON CONSTRUCTION CO., INC. for construction of Blackhawk Junior High School Sanitary Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved August 24, 1971, between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and BERCOT-GIBSON CONSTRUCTION CO., INC., for Sewer Resolution No. 253-1971, for the construction of:

Sanitary Sewer to serve Blackhawk Junior High School and area, and also a crushed stone service road,

for a total cost of \$44,917.00, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-750-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:17 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-09-28

RESOLUTION NO. R-123-71

RESOLUTION authorizing payment for repairs
to car damaged by City-owned vehicle.

WHEREAS, the automobile of John O. Hupps was damaged by a City-owned vehicle in an accident on May 5, 1971; and

WHEREAS, settlement in the amount of \$16.67 was paid by the surety, American States Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, John O. Hupps has agreed to accept the sum of \$16.67, which sum is the reasonable value of said damages;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the sum of \$16.67 to John O. Hupps in settlement for damages to his car.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-123-71 on the 28th day of September, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:24 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-09-29

RESOLUTION NO. R-124-71

RESOLUTION authorizing payments for repairs
to Fort Wayne Police Adacemy.

WHEREAS, the Fort Wayne Police Adacemy was damaged in a fire on June 28, 1971; and

WHEREAS, settlement in the amount of \$1,766.01 was paid by the surety, American States Insurance Company, to the City Controller's Office, which money was receipted into the General Fund, Quietus No. 2239; and

WHEREAS, Pearson, Inc. has submitted a claim in the amount of \$558.00 for air conditioner repairs, "Doc" Dancer, Inc. has submitted a claim in the amount of \$152.24 for furnace repairs, Swiss Cleaners has submitted a claim in the amount of \$64.75 for cleaning drapes, and City Utilities has submitted a claim in the amount of \$991.02 for painting the damaged area, which sums are the reasonable value of said damages;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the sum of \$558.00 to Pearson, Inc. for air conditioner repair; the sum of \$152.24 to "Doc" Dancer, Inc. for furnace repairs; the sum of \$64.75 to Swiss Cleaners for cleaning drapes; and the sum of \$991.02 to City Utilities for painting the damaged area caused by the fire at the Police Academy.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton

Nays none

Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-124-71 on the 28th day of September, 1971.

ATTEST:

(SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:25 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-09-30

RESOLUTION NO. R-125-71

RESOLUTION authorizing the temporary advancement of funds from the St. Marys River Impounding Fund, Sewer Relief Fund and the Park Cumulative Building Fund to Civil City General Fund, Park General Fund, Fire Pension Fund and Police Pension Fund for the period ending December 31, 1971.

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of Civil City General Fund, Park General Fund, Fire Pension Fund and Police Pension Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of the St. Marys River Impounding Fund, Sewer Relief Fund and the Park Cumulative Building Fund of the City of Fort Wayne which can be temporarily advanced or transferred to said Civil City General Fund, Park General Fund, Fire Pension Fund and Police Pension Fund;

NOW THEREFORE, BE IT RESOLVED, that the Controller of the City of Fort Wayne be and he is hereby authorized and directed to transfer the sum of \$1,045,000.00 from the following accounts as follows: \$350,000 from St. Marys River Impounding Fund, \$500,000 from Sewer Relief Fund, and \$195,000 from Park Cumulative Building Fund, to the following accounts as follows: \$770,000 to Civil City General Fund, \$195,000 to Park General Fund, \$20,000 to Fire Pension Fund, and \$60,000 to Police Pension Fund, which said sum of \$1,045,000 shall be returned and repaid to the respective funds on or before December 31, 1971.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Fay, Geake, Robinson, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Nuckols

Date: 9-28-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-125-71 on the 28th day of September, 1971.

ATTEST:

(SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of September, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 30th day of September, 1971, at the hour of 3:26 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

ZONING MAP ORDINANCE NO. Z-153-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. CC-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. CC-14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Bounded on the South by the North right-of-way line of Lower Huntington Road, bounded on the East by the Southerly extension of the West right-of-way line of Reserve Line Road, bounded on the North by a line 300 feet North of and parallel to the North right-of-way line of Lower Huntington Road, bounded on the West by a line 170 feet West of and parallel to said Southerly extension of the West right-of-way line of Reserve Line Road, more particularly described as follows:

A part of the Northwest 1/4 of the Southwest 1/4 of Section 27, Township 30 North, Range 12 East, being part of Lot Number 1, John Godfrey's Subdivision of Lot Number 7, Archangel Godfrey's Subdivision of Richardville Reserve, particularly described by D.R. 499, Page # 510, D.R. 723, Page # 192, also part of Lot # 60 of Liberty Garden's Addition, as recorded by Plat Book # 8, Page # 61.

1. Beginning at the intersection of the centerline of Lower Huntington Road and the West line of Lot Number 1, John Godfrey's Subdivision produced southwesterly to intersect said centerline; thence northeasterly along said east line and east line extended, 303 feet to a point; thence southeasterly 160 feet to a point; thence southwesterly 212 feet to the centerline of the Lower Huntington Road; thence westerly along said centerline 191.6 feet to the point of beginning.

2. Also a strip of land of 20 feet of even width off the Southeast side of Lot # 60 in Liberty Garden's Addition said strip of land lies immediately west of and adjacent to aforescribed parcel in Paragraph # 1.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes Seven
Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-153-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E. S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:05 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. Z-71-08-07

ZONING MAP ORDINANCE NO. Z-154-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. G-9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. G-9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Affecting the following described space in the Northeast 1/4, Section 32, Township 31 North, Range 13 East, generally located North 152+ lineal feet and south 158+ lineal feet of the legal right of way of Karen Avenue, as recorded by Deed Record 547, Page 449 and Deed Record 623, Page 357, more particularly described as follows:

Beginning at the Southwest corner of Glenwood Park, Section 9, as recorded in Plat Book 25, Page 76 and 77; thence East 1,316+ lineal feet along and parallel to the South boundry line of said Glenwood Park, Section 9 to the centerline of Reed Road; thence South 440+ lineal feet along the centerline of said Reed Road to the Southeast corner of space now or formerly owned by Terry A. and Paula A. Rogers as described by instrument No. 71-5207; thence West 296+ lineal feet to the Southwest corner of space now or formerly owned by Richard R. and Lorraine M. Rondot as described by instrument No. 70-4189; thence North 80+ lineal feet parallel to the centerline of Reed Road to the Southeast corner of space now or formerly owned by Lawrence S. and A. Elizabeth Daniels as described by Deed Record 714, Page 437; thence due West 1,019+ lineal feet along a line parallel to the South boundry line of said Glenwood Park, Section 9 to a point situated in the West right of way line of Ellwood Road as described by Deed Record 547, Page 449, said point more particularly described as being located on the East boundry line of Glenwood Park, as recorded by Plat Book 23, Page 1 and 2; thence North along said East boundry of Glenwood Park 360+ lineal feet to the point of beginning

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in-full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven

Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-154-71 on the 12th day of October, 1971.

ATTEST:

(SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:06 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. Z-71-08-18

ZONING MAP ORDINANCE NO. Z-155-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA-5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. AA-5, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A portion of land located on the southeast corner of Fifth Street and Cass Street, more particularly described as follows:
Lots 111, 112 and 113 of Northside Addition
to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-155-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

=

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:07 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-09-20

SPECIAL ORDINANCE NO. S-751-71

AN ORDINANCE approving contract with BULMAHN EXCAVATING for construction of Storm Drain in Scottsville-Elmcrest Additions.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 21, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BULMAHN EXCAVATING, for Storm Sewer Improvement Resolution No. 262-1971 for the construction of:

Storm Drain to serve Scottsville-Elmcrest Additions,

for a total cost of \$32,490.00, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Celia Ann Fay
Councilman

Read the third time in full and on motion by Nuckols seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven

Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the Clity of Fort Wayne, Indiana, as Special Ordinance No. S-751-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the Clity of Fort Wayne, Indiana, on the 13th day of October, 1971, at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:08 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-09-21

SPECIAL ORDINANCE NO. S-752-71

AN ORDINANCE approving contract with BERCOT-GIBSON CONSTRUCTION COMPANY, INC. for the construction of Smith and Colerick Streets Main Sewer and Laterals.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 13, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, add Bercot-Gibson Construction Company, Inc., for Sewer Improvement Resolution No. 259-1971, for the construction of:

Main Sewer at the intersection of Smith and Colerick Streets, and Laterals 1, 2, 3, 3-A, 3-B, 4-A and 4-B.
Said sewers shall be 12, 15, 18, 21, 24, 33, 42 and 48 inches in diameter,

for a total cost of \$193,897.00, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Celia Ann Fay
Councilman

Read the third time in full and on motion by Nuckols seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven

Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton

Nays none

Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-752-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom, City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:09 o'clock A.M., E.S.T.

Harold S. Zeis, Mayor

Bill No. S-71-09-22

SPECIAL ORDINANCE NO. S-753-71

AN ORDINANCE approving Change Order No. 1 with EARTH CONSTRUCTION & ENGINEERING, INC. in connection with Sewer Resolution No. 207-1970, Elimination of Decatur Road Lift Station.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with EARCH CONSTRUCTION & ENGINEERING, INC., in connection with Sewer Resolution No. 207-1970, to lower the local and building sewer in order to reconnect with the old Eaveys Building, and widening street cut, for a total cost of \$6,067.50, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Celia Ann Fay
Councilman

Read the third time in full and on motion by Nuckols seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-753-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:10 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-09-23

SPECIAL ORDINANCE NO. S-754-71

AN ORDINANCE approving bid document Ref. No. 407-S0022 with PASS ELECTRIC, INC. for Traffic Signal installation at Gary Street and Tillman Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain Bid Document Ref. No. 407-S-0022, approved September 16, 1971 between the City of Fort Wayne, by and through its Mayor, Board of Public Safety, Traffic Engineer, and Department of Purchases, and PASS ELECTRIC, INC., for:

Furnishing all equipment, material and labor and the installation of an automatic, actuated Traffic Signal at the entrance of Southtown Mall, Garry Street and Tillman Road intersection,

for a total cost of \$22,405.00, of which 40% is to be paid by the City, all as more specifically set forth in said Bid Document Ref. No. 407-S-0022 and Purchase Order No. 3-01337, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-754-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:11 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-10-14

RESOLUTION NO. R-126-71

RESOLUTION OF THE COMMON COUNCIL OF THE CITY
OF FORT WAYNE IN MEMORY OF JOHN H. ROBINSON.

WHEREAS, John H. Robinson, 2106 Vance Avenue, Fort Wayne, a member of the Fort Wayne City Council, departed this life at Bloomington, Indiana, October 2, 1971; and

WHEREAS, Councilman Robinson diligently served his constituents of the Second Councilmanic District in Fort Wayne continuously for nineteen years, ten months and two days, having been nominated and elected by the voters of his district to five consecutive four-year terms of office; and

WHEREAS, during these nearly twenty years of dedicated service, he contributed greatly to the law-making process of the City Government during both Republican and Democrat Administrations; and

WHEREAS, he maintained a keen interest and donated many hours of his time and of his diverse talents to his constituents of the Second District and all residents of the City;

NOW THEREFORE, BE IT RESOLVED That the members of the Fort Wayne City Council on this solemn occasion, make this resolution a matter of record in this official Council Proceedings this 12th day of October, 1971, and that a copy of this resolution be sent to his wife, Eleanore, and with it be expressed the sympathies to his wife, three sons and one daughter, from all members of said City Council.

Jack K. Dunifon
Edwin J. Rousseau
John Nuckols
William K. Geake

Phil A. Steigerwald
Herbert G. Tipton
Thomas G. Adams

Read the third time in full and on motion by Dunifon seconded by Steigerwald and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Geake, Nuckols, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Fay

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-126-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom, City Clerk

Approved and signed by me this 13th day of October, 1971, at the hour of 11:12 o'clock A.M., E.S.T.

Harold S. Zeis, Mayor

Bill No. Z-71-07-12

ZONING MAP ORDINANCE NO. Z-156-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. C-12, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Located on the south side of Paulding Road
and 125 feet west of Anthony Blvd., more
particularly described as follows:

Commonly known as - 1718 Paulding Road
The East 63 feet of Lot #3, Sylvan Park
Addition, Section A, Fort Wayne, Indiana.
Plat Book 16, Page 8.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

~~Adams~~ Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton

Nays none

Absent: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-156-71 on the 26th day of October, 1971..

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:30 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-09-26

GENERAL ORDINANCE NO. G-124-71

AN ORDINANCE amending Section 110 of Article XII of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 110 of Article XII of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, is hereby amended to read as follows:

"Sec. 110. Standing or parking close to curb.

No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right hand wheels of the

vehicle on a two-way street/ ~~and the right hand or left hand wheels of the vehicle on a two-way street~~ and the right hand or left hand wheels of a vehicle on a one-way street within twelve inches of the curb or edge of the roadway, except as otherwise provided in this article; No person shall stand or park a vehicle in addition to the foregoing except on or in an authorized area for the purpose of parking or standing of vehicles in any City park provided that in no event shall any part or portion of the vehicle, except bicycles be permitted to extend over the outer edge of any curb or roadway or touch any utility, light, traffic device pole, trees or lawn at any time, provided however, that this Section shall not be deemed to apply to utility, signal and street repair vehicles and park maintenance vehicles when the necessary performance of their primary function requires otherwise."

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Dunifon and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Adams

Date: 10-12-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-124-71 on the 12th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:31 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-10-03

SPECIAL ORDINANCE NO. S-755-71

AN ORDINANCE approving the purchase of real estate in connection with the widening of North Clinton Street, Project ST-414"C".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the purchase of the following real estate, at the price stated, in connection with the widening of North Clinton Street, Project ST-414"C", to-wit:

Parcel No. 10, from Calvary Temple, Inc.
of Fort Wayne, for a total cost of \$40,000.00,

all as more particularly set forth in the document on file in the office of the Board of Public Works and which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-755-71 on the 26th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk =

Approved and signed by me this 27th day of October, 1971, at the hour of 2:33 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-10-05

SPECIAL ORDINANCE NO. S-756-71

ON ORDINANCE approving Bid Document Ref. No. 418
with various Contractors for Emergency Snow
Removal Equipment Rental.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain Bid Document Ref. No. 418, approved October 6, 1971, between the City of Fort Wayne, by and through its Mayor, Board of Public Works and Department of Purchases, and BERCOT-GIBSON CONSTRUCTION., PAUL C. BRUDI STONE & GRAVEL, CANYON SAND & GRAVEL, INC., DAILEY ASPHALT PRODUCTS CO., INC., JOHN DEHNER, INC., GRAVES TRUCKING, INC., MAY STONE & SAND, INC., and THE WEIKEL CONSTRUCTION CO., INC., for:

Hired, stand-by emergency snow removal equipment,

at the rates and under the conditions as more specifically set forth in said Bid Document Ref. No. 418, which is on file in the office of the Department of Purchases, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Tipton and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-756-71 on the 26th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:34 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-10-06

SPECIAL ORDINANCE NO. S-757-71

AN ORDINANCE approving contract with WESTINGHOUSE ELECTRIC SUPPLY CO. for 60 American Concrete Poles for the Light Construction Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved October 7, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and WESTINGHOUSE ELECTRIC SUPPLY CO., for:

60 American Concrete Poles #800B26H6, 28 feet in height,
for the Light Construction Department,

for a total cost of \$13,002.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 3306, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton

Nays none

Absent one, to-wit: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-757-71 on the 26th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:35 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-10-12

GENERAL ORDINANCE NO. G-125-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public alleys between Bowser and Holton Avenues and between Main and Columbia Streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petitions for the vacation of public alleys by City of Fort Wayne, DEPARTMENT OF RE-DEVELOPMENT, having been filed with the Fort Wayne City Plan Commission, and resolutions having been duly adopted by the Fort Wayne City Plan Commission on September 27, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), The Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alleys in Fort Wayne, Allen County, Indiana, to-wit:

The North-South Alley between Bowser Avenue and Holton Avenue; That portion from the first alley South of Greene Street to the North Line of the first alley North of Creighton Avenue.
and

The East-West alley between Main and Columbia Streets, same being 14 feet wide and commencing from the East right-of-way of Lafayette Street to a point approximately 215 feet East. Said alley is bounded on the North by Lots 22, 23 and 24 and on the South by Lots 35, 36 and 37, all in the County Addition of the City of Fort Wayne.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-125-71 on the 26th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:36 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-10-26

RESOLUTION NO. R-127-71

RESOLUTION authorizing payment for repairs to ventilator shaft cover between the City-County Building and the Court House.

WHEREAS, the ventilator shaft cover between the City-County Building and the Court House was damaged in an accident on August 14, 1971; and

WHEREAS, settlement in the amount of \$35.00 was paid by the surety, LaSalle National Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, D. J. Brandenberger, Inc. has submitted a claim in the amount of \$35.00, which sum is the reasonable value of said repairs;

NOW THERE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the sum of \$35.00 to D. J. Brandenberger, Inc. for repairs to the ventilator shaft cover between the City-County Building and the Court House.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckold, Rousseau, Schmidt, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-127-71 on the 26th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:37 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-10-27

RESOLUTION NO. R-128-71

RESOLUTION authorizing payment for
repairs to City-owned vehicle.

WHEREAS, Unit #287 was damaged in an accident on November 20, 1970; and

WHEREAS, settlement in the amount of \$72.14 was paid by the surety, Commonwealth Fire & Casualty Insurance Company, to the Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Auto Rebuilders has repaired said vehicle and has filed a claim in the amount of \$72.14, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$72.14 to Auto Rebuilders for repairs to Unit #287.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following Vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Adams

Date: 10-26-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution R-128-71 on the 26th day of October, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of October, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 27th day of October, 1971, at the hour of 2:38 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-10-20

SPECIAL ORDINANCE NO. S-758-71

AN ORDINANCE approving contract with WAYNE ASPHALT AND CONSTRUCTION CO., INC. for Resurfacing Calhoun Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved October 20, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and WAYNE ASPHALT AND CONSTRUCTION CO., INC., for:

Resurfacing Calhoun Street from the south curb line of Superior Street to the south curb line of Berry Street,

for a total cost of \$10,745.50, all as more particularly set forth on BOARD OF PUBLIC WORKS PURCHASE ORDER NO. 4677, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Adams and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-758-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:05 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-10-22

SPECIAL ORDINANCE NO. S-759-71

AN ORDINANCE approving contract with JOHN DEHNER, INC. for paving Abbott Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved October 14, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC., for:

Street Improvement Res. No. 5603-1971, paving Abbott Street from the north property line of Rudisill Boulevard to the north property line of McKinnie Avenue, in the amount of \$48,456.11,

all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Adams and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-759-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:06 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-10-23

SPECIAL ORDINANCE NO. S-760-71

AN ORDINANCE approving bid document Ref. No. 423 with BELL & HOWELL COMMUNICATIONS COMPANY for communications equipment for the Police Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 423, approved October 14, 1971 between the City of Fort Wayne, by and through its Mayor, Board of Public Safety-Police Department and Department of Purchases, and BELL & HOWELL COMMUNICATIONS COMPANY, for:

Special Communications Equipment, Receivers
and Related Parts, for the Police Department,

for a total cost of \$4,888.00, all as more specifically set forth in said bid document Ref. No. 423 and Purchase Order No. 3-01677, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Fay, Geake, Rousseau, Schmidt, Steigerwald, Tipton

Nays one,

Nuckols

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-760-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of *;30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:07 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-11-05

SPECIAL ORDINANCE NO. S-761-71

AN ORDINANCE approving contracts with NORTHILL CORPORATION and ENVIRONMENTAL PROPERTIES for Fire Protection Service.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract approved September 17, 1971 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, and NORTHILL CORPORATION and ENVIRONMENTAL PROPERTIES, for fire protection for certain premises of said Northill Corporation and Environmental Properties known as Canterbury Green Apartments and Canterbury Green Clubhouse, for the annual sum of \$1800.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, be and the same is hereby in all things ratified, confirmed and approved.

SECTION 2. That the contract approved September 17, 1971 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, and NORTHILL CORPORATION and ENVIRONMENTAL PROPERTIES, for fire protection of certain improvements of said Northill Corporation and Environmental Properties known as Canterbury Market, for the annual sum of \$300.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Safety and is by reference incorporated herein and made a part hereof, be and the same is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Edwin J. Rousseau
Councilman

On motion by Rousseau seconded by Geake, the rules of the Common Council were suspended by unanimous vote. Read the third time in full and on motion by Rousseau, seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton

Nays none

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-761-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:08 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-11-15

RESOLUTION NO. R-129-71

RESOLUTION nominating a trustee to be a member of the Fort Wayne Department of Redevelopment.

WHEREAS, the term of Cecil R. Onion, a nominee of the Common Council on the Board of the Fort Wayne Department of Redevelopment has expired:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. Cecil R. Onion is hereby nominated for appointment as a trustee member of the Board of the Fort Wayne Department of Redevelopment for a period of four years, expiring on June 21, 1975.

2. The Clerk is directed to certify this nomination to the Mayor.

Celia Ann Fay
Councilman

a

Read the third time in full and on motion by Fay seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton

Nays none

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-129-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:09 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-11-16

RESOLUTION NO. R-130-71

RESOLUTION approving Board of Public Works
Resolution authorizing City to make appli-
cation to United States Department of Housing
and Urban Development for grant in connection
with the repair to Hurshtown Reservoir.

WHEREAS, the Board of Public Works of the City of Fort Wayne has made an application for a Federal Grant Project WSF-IN-05-36-1002 with the United States Department of Housing and Urban Development pursuant to a resolution passed on October 28, 1971; and which said Resolution reads as follows:

"RESOLUTION OF GOVERNING BODY OF APPLICANT

Resolution authorizing filing of application with the
Department of Housing and Urban Development, United
States of America, for a grant under Public Law 89-117.

WHEREAS, pursuant to Public Law 89-117 the United States
of America has authorized the making of grants to public
bodies to aid in financing the construction of basic
water and sewer projects;

NOW THEREFORE, BE IT RESOLVED BY the Board of Public
Works of Fort Wayne, Indiana:

1. That Fred S. Ehrman, Chairman of the Board of Public Works, be and he is hereby authorized to execute and file an application on behalf of the City of Fort Wayne, Indiana with the Department of Housing and Urban Development, United States Government, for a grant to aid in the financing of "The Repair to the Hurshtown Reservoir", and an assurance of compliance with the Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964.
2. That Fred S. Ehrman, Chairman of the Board of Public Works, be and he is hereby authorized and directed to furnish such information as the Department of Housing and Urban Development may reasonable request in connection with the application which is herein authorized to be filled."

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

RESOLVED that the action taken by the Board of Public Works is hereby ratified, confirmed and approved; and the City of Fort Wayne is hereby authorized to make application to United States Department of Housing and Urban Development for grant in connection with the repair to Hurshtown Reservoir.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton

Nays none

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-130-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:10 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. R-71-11-18

RESOLUTION NO. R-131-71

RESOLUTION authorizing payment for repairs
to City-owned vehicle.

WHEREAS, Police Car #23 was damaged in an accident on October 26, 1971; and

WHEREAS, settlement in the amount of \$385.73 was paid by the surety, Farm Bureau Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Auto Rebuilding Company has repaired said vehicle and has filed a claim in the amount of \$385.73, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$385.73 to Auto Rebuilding Company for repairs to Police Car #23.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Adams, Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton

Nays none

Date: 11-9-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-131-71 on the 9th day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of November, 1971, at the hour of 2:11 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-11-01

SPECIAL ORDINANCE NO. S-762-71

AN ORDINANCE approving the purchase of real estate in connection with the widening of North Clinton Street, Project ST-414"C".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the purchase of the following real estate, at the price stated, in connection with the widening of North Clinton Street, Project ST-414"C", to-wit:

Parcel No. 30, from Clark Oil & Refining Corporation, for a total price of \$35,000.00,

all as more particularly set forth in the document on file in the office of the Board of Public Works and which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Tipton and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven

Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton

Nays none

Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-762-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:30 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-11-02

SPECIAL ORDINANCE NO. S-763-71

AN ORDINANCE approving contract with SCHEELE CONSTRUCTION CO., INC. for construction of Branch Sewer, Gladstone Drive and South Anthony Boulevard.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved November 3, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and SCHEELE CONSTRUCTION CO., INC., for Storm Sewer Improvement Resolution No. 263-1971, for construction as follows:

BRANCH SEWER: Beginning at an existing manhole located 160+ lineal feet North of and 30+ l.f. East of the centerline intersection of Gladstone Drive and South Anthony Boulevard; thence South along and parallel to the centerline of South Anthony Boulevard, terminating at a proposed manhole located 110+ lineal feet South of and 30+ lineal feet East of the centerline intersection of Southdale Avenue and South Anthony Boulevard. Said sewer shall be 30 inches in diameter,

for a total cost of \$32,673.00, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Adams and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton
Nays none
Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-763-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:31 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-71-11-03

SPECIAL ORDINANCE NO. S-764-71

AN ORDINANCE approving contract with GENERAL ELECTRIC COMPANY for Network Transformers and Protectors for the Fine Arts Center and Freimann Park.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved November 3, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL ELECTRIC COMPANY, for:

2 Padmounted Network Transformers, and
2 Type MG-9, Enclosed Network Protectors,
for use at the Fine Arts Center and
Freimann Park,

for a total cost of \$25,080.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 3607, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Adams and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton.
Nays none
Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-764-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:32 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

BILL NO. X-71-11-08

ANNEXATION ORDINANCE NO. X-38-71

AN ORDINANCE repealing Annexation Ordinance No. X-19-68.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Annexation Ordinance No. X-19-68, adopted by the Common Council on August 27, 1968, is hereby repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Don J. Schmidt
Councilman

Read the third time in full and on motion by Schmidt seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven

Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton.

Nays none

Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-38-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:33 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-11-10

GENERAL ORDINANCE NO. G-126-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public alley west of Griswold Drive and south of Anderson Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public alley by ORVILLE DENNIS and HAROLD MASON having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on September 27, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first alley west of Griswold Drive and running south of Anderson Avenue for a distance of 100 feet.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Dunifon and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton
Nays none
Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-126-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:34 o'clock P.M., E.S.T.
Harold S. Zeis
Mayor

Bill No. G-71-11-11

GENERAL ORDINANCE NO. G-127-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of portion of Dock Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of public street by CITY OF FORT WAYNE DEPARTMENT OF RECEVELOPMENT having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on July 22, 1968 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Section 53-744), the Thororoughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Dock Street located between the East boundary line of Calhoun Street and the West boundary line of Clinton Street, excepting those portions previously vacated by Resolutions 897 (1954) and 937 (1956).

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal Publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton
Nays None
Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-127-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:35 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-11-12

GENERAL ORDINANCE NO. G-128-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public alleys.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of public alleys by CITY OF FORT WAYNE DEPARTMENT OF REDEVELOPMENT having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on September 25, 1967 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Section 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alleys in Fort Wayne, Allen County, Indiana, to-wit:

That portion of an alley between Calhoun Street and Clinton Street, commencing at the Northwest corner of Lot 76; thence East along the North border of Lots 76, 75, 74, 73, 72 and 71 to the North-East corner of Lot 71, a distance of 365 feet; thence North a distance of 14 feet to the South-East corner of Lot 57; thence West along the South border of Lots 57, 56, 55, 54, 53 and 52 to the South-West corner of Lot 52, a distance of 365 feet; thence South a distance of 14 feet to the place of beginning, all in the Original Plat of the City of Fort Wayne.

That portion of an alley between Columbia Street and Main Street, commencing at the North-West corner of Lot 55; thence South a distance of 150 feet to the South-West corner of Lot 55; thence West a distance of 5 feet to the South-East corner of Lot 54; thence North a distance of 150 feet to the North-East corner of Lot 54; thence East a distance of 5 feet to the place of beginning, all in the Original Plat of the City of Fort Wayne.

That portion of an alley between Columbia Street and Main Street, commencing at the North-West corner of Lot 73; thence South a distance of 150 feet to the South-West corner of Lot 73; thence West a distance of

5 feet to the South-East corner of Lot 74; thence North a distance of 150 feet to the North-East corner of Lot 74; thence East a distance of 5 feet to the place of beginning, all in the Original Plat of the City of Fort Wayne,

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton.
Nays none
Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-128-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:36 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-11-13

GENERAL ORDINANCE NO. G-129-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of public streets and alleys.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petitions for the vacation of public streets and alleys by FORT WAYNE REDEVELOPMENT COMMISSION having been filed with the Fort Wayne City Plan Commission, and resolutions having been duly adopted by the Fort Wayne City Plan Commission on August 18, 1969 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns *nd. Stat., 1964 Replacement, Section 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public streets and alleys in Fort Wayne, Allen County, Indiana, to-wit:

A portion of an existing alley described as Follows:
The South one-half of the North-South alley which is located between Barr Street and Lafayette Street and which runs from the Northern Boundary of the East-West alley between Barr and Lafayette Streets to the North property line of Main Street.

The East-West alley that lies between Columbia Street and Main Street and which runs from the East property line of Barr Street to the West property line of Lafayette Street.

The portion of Dock Street which lies between the East property line of Clinton Street and the West property line of Barr Street.

The portion of Columbia Street which lies between the East property line of Clinton Street and the West property line of Barr Street.

That portion of Columbia Street which lies between the East property line of Barr Street and the West property line of Lafayette Street.

The East-West alley located between Columbia Street and Main Street, and which runs from the East property line of Clinton Street to the West property line of Barr Street.

The northern one-half of the North-South alley which is located between Barr Street and Lafayette Street and which runs from the Northern property line of the East-West alley between Barr Street and Lafayette Street to the South property line of Columbia Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Adams, Dunifon, Fay, Nuckols, Schmidt, Steigerwald, Tipton.
Nays none
Absent two, to-wit: Councilmen Geake and Rousseau

Date: 11-23-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-129-71 on the 23rd day of November, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1971 at the hour of 8:30 o'clock A.M.E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 24th day of November, 1971, at the hour of 3:37 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. Z-67-03-18

ZONING MAP ORDINANCE NO. Z-157-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-15

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. C-15 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The West half of the Southeast quarter of Section 24, Township 31 North, Range 12 East in Allen County, Indiana excepting therefrom all right of way for public roads and more particularly described as follows, to-wit:

Beginning at the Northeast corner of the West half of the Southeast quarter, Section 24, Township 31 North, Range 12 East in Allen County, Indiana; thence South 1 degree 17 minutes East 2605.2 feet along the East line of the West half of the Southeast quarter of Section 24 to the North line of the California Road; thence South 87 degrees 55.3 minutes West 1258.2 feet along said North line of California Road, said North line being parallel to and 40 feet North of the South line of the Southeast quarter of said Section 24, to the East right of way line of Parnell Road; thence North 1 degree 56.3 minutes West 209.8 feet along the East right of way line of Parnell Road, said East right of way line being parallel to and 30.0 feet East of the Half section line, to a concrete monument; thence North 2 degrees 27.8 minutes East 288.1 feet along the East right of way line of Parnell Road to a concrete monument; thence North 16 degrees 30.7 minutes West 92.3 feet along the East right of way line of Parnell Road to a concrete monument; thence North 1 degree 52.7 minutes West 299.1 feet along the East right of way of Parnell Road to a concrete monument marking the intersection of the East line of Parnell Road and the East right of way line of State Road numbered 1 and 427; thence Northeasterly on a curve to the left having a radius of 1994.86 feet and a central angle of 8 degrees 58.7 minutes a distance of 312.6 feet to a concrete monument, said monument being situated North 7 degrees 11.7 minutes East 312.3 feet from the last described intersection; thence North 3 degrees 47.3 minutes West 100.7 feet along the East right of way line of Roads 1 and 427 to a concrete monument; thence North 1 degree 31.3 minutes West 79.1 feet along the East right of way line of Roads 1 and 427 to a concrete monument; thence North 2 degrees 20 minutes West 192.8 feet along the East right of way line of Roads 1 and 427 to a concrete monument; thence North 6 degrees 25 minutes East 101.3 feet along the East line of Road numbered 1 and 427 to a concrete monument; thence North 2 degrees 30 minutes West 37.6 feet along the East right of way line of Roads 1 and 427 to a concrete monument; thence North 10 degrees 49 minutes West 103.9 feet along the East right of way line of Roads 1 and 427 to a concrete monument; thence North 2 degrees 28 minutes West 576.3 feet along the East right of way line of Roads 1 and 427 to a concrete monument marking a point of curvature; thence Northerly along said East right of way on a curve to the right having a radius of 1834.86 feet and a central angle of 6 degrees 37 minutes a distance of 211.9 feet to a wooden stake located at the Southwest corner of a 2 foot square stone corner post; said stake being located upon the North line of the Southeast quarter of Section 24, said Township & Range; thence North 87 degrees 24.1 minutes East along said North line of the Southeast quarter of Section 24 a distance of 1211.0 feet to the place of beginning, containing 74.74 acres, more or less.

Monuments referred to are Standard Concrete Monuments used by Indiana State Highway Commission to mark right of way. Bearings related to State Highway Commission plans and are astronomical.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and legal publication thereof.

Phil A. Steigerwald
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton

Nays none

Absent one, to-wit: Councilman Adams

Date: 12-14-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-157-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:30 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. Z-69-09-34

ZONING MAP ORDINANCE NO. Z-158-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G-8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a Mobile Home Park District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836; and the symbols on the City of Fort Wayne Zoning Map No. G-8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

All that portion of the NE 1/4 of Section 20, Township 30 North, Range 12 East, excepting the SW 1/4 thereof, containing 120 acres more or less at the SW corner of Meyer Road and McKinnie Avenue (Hoevel Road).

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes six

Fay, Geake, Nuckols, Rousseau, Steigerwald, Tipton

Nays two

Dunifon and Schmidt

Absent one, to-wit: Councilman Adams

Date: 12-14-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-158-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:31 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. Z-70-07-18

ZONING MAP ORDINANCE NO. Z-159-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. DD-16 and DD-18.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map Nos. DD-16 and DD-18 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 1 through 14 in Hindman's Addition
to Waynedale, Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Dunifon, Fay, Geake, Schmidt, Rousseau, Steigerwald, Tipton
Nays one
Nuckols
Absent one, to-wit: Councilman Adams

Date: 12-14-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-159-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:32 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. Z-71-09-12 as amended

ZONING MAP ORDINANCE NO. Z-160-71

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an RA District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. E-11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A portion of land located on the N.W. corner
of the first alley south of Whitegate Drive and
Hobson Road, commonly known as 3305 and 3315
Hobson Road, and more particularly described as
follows, to-wit:
Lots Numbered 312 and 313 in New Kirkwood Park,
Section "H", an Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton

Nays none

Absent one, to-wit: Councilman Adams

Date: 12-14-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-160-71 on the 14th day of December, 1971.

ATTEST:

(SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:33 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-09-14

GENERAL ORDINANCE NO. G-130-71

AN ORDINANCE amending Chapter 36, Section 24(D)
(Zoning) of the Municipal Code of the City of
Fort Wayne, Indiana, 1946, as amended.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 24(D) of Chapter 36 (Zoning) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read as follows:

"D. For each application for approval by the Commission of a "B2" Regional Shopping Center Development Plan or a "B2A" Neighborhood Shopping Center Development Plan, or an "IA" Interchange Access Center Development Plan, or an "MHP" Mobile Home Park Plan, a fee of fifty dollars (\$50.00) to be paid to and collected by the Building Commissioner, the receipt for which shall accompany the application."

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Adams

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-130-71 on the 14th day of December, 1971.

ATTEST:

(SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:34 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-09-15

GENERAL ORDINANCE NO. G-131-71

AN ORDINANCE amending Section 7(2) and Section 23 of Chapter 28A (SUBDIVISIONS) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 7(2) of Chapter 28A of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read as follows:

"7.(2) The application shall contain a statement specifying the intention of the owner respecting the proposed land use of the development, deed, restrictions, drainage, sewage disposal, water facilities and the intended date of the development, and shall be accompanied by a receipt from the City Controller showing that a filing fee in the amount of fifty dollars (\$50.00) has been paid."

SECTION 2. That Section 23 of Chapter 28A of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended by adding thereto the following subsection (6):

"(6) Street lighting shall be provided in all residential, apartment, commercial and industrial subdivisions by the developer. The design, material and installation shall meet the minimum requirements and specifications adopted by the Board of Public Works and on file therein."

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Schmidt, Rousseau, Steigerwald, Tipton
Nays none
Absent one, to-wit: Councilman Adams

Date: 12-14-71

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-131-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:35 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. G-71-09-18

GENERAL ORDINANCE NO. G-132-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Darrow Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public street by FORT WAYNE COMMUNITY SCHOOLS having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on August 16, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

Darrow Street between the East line of Calhoun Street and the West line of Clinton Court as they now exist in the City of Fort Wayne, Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-132-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:36 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. G-71-10-25

GENERAL ORDINANCE NO. G-133-71

AN ORDINANCE amending certain Schedules of Chapter 31 (Traffic) of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726 adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Schedules and Sections of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726 adopted December 22, 1953, be and the same are hereby amended as follows:

Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones", by adding thereto the following:

SPEED LIMIT 40 MPH

Lindenwood Ave. -- from Main St. to Spring St.

Schedule 3, Section 170 "One-Way Streets and Alleys, by deleting therefrom to sub-paragraph (a) "Streets" the following:

ONE WAY STREET

Main St. -- eastbound -- from Clinton St. to Clay St.

Schedule 5, Section 172 "Intersections Where Stop Required", by adding thereto the following:

STOP INTERSECTION

Fairfax Ave.	-- stop --	at Old Mill Rd.
Second St.	-- stop --	at Marion St.
Second St.	-- stop --	at Orchard St.
Felician St.	-- stop --	at Coliseum Blvd.
Schele Ave.	-- stop --	at Coliseum Blvd.

Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets", by adding thereto the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Collins Dr.	both	Coldwater Rd.	Speedway Dr.
Greenwood Ave.	north	N/boundary Jaenicke Gardens	west to Manufacturers Ave.
Ardmore Ave.	both	Sand Point Rd.	Lower Huntington Rd.
Wood Ave.	south	Wells St.	alley E/thereof
Westbrook Dr.	east	State Blvd.	Grove St.

Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets", by deleting therefrom the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Market Place	west	Wayne St.	alley N/thereof
Maiden Lane	east	Main St.	Pearl St.

Schedule 8, Section 175 "Parking Prohibited During Certain Hours on Certain Streets", by adding thereto the following:

NO PARKING 7:00 A.M. to 4:00 P.M. school days only

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Highwood Dr.	both	Chancellor Dr.	Reed Rd.
Elwood Dr.	both	Fairlawn Pass	Trierwood Park Dr.
Trierwood Park Drive	both	Elwood Dr.	Reed Rd.
Elmhurst Dr.	both	Ardmore Ave.	Fernwood Ave.

NO PARKING 8:00 A.M. to 9:00 A.M. AND 3:00 P.M. to 4:00 P.M.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Locust St.	north	Fairfield Ave.	70' W/thereof

Schedule 10, Section 177 (a) "Parking Time Limited On Certain Streets", 1-Hour Parking 8:00 A.M. to 6:00 P.M. by adding thereto the following:

ONE HOUR PARKING 8:00 A.M. to 6:00 P.M.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Market Place	west	Wayne St.	alley N/thereof
Maiden Lane	east	Main St.	Pearl St.

Schedule 10, Section 177 (a) "Parking Time Limited On Certain Streets", 1-Hour Parking 8:00 A.M. 6:00 P.M. by deleting therefrom the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Calhoun St.	east	Superior St.	150' N/thereof

Schedule 11, Section 177 (b) "Parking Time Limited On Certain Streets", 90-Minute Parking 8:00 A.M. to 6:00 P.M. by adding thereto the following:

90 MINUTE PARKING 8:00 A.M. to 6:00 P.M.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Randalia Dr.	west	Nevada Ave.	Delaware Ave.
Delaware Ave.	south	Pemberton Dr.	Randalia Dr.

Schedule 14, Section 177 (e) "Parking Time Limited On Certain Streets", 30-Minute Parking 8:00 A.M. to 6:00 P.M. by adding thereto the following:

30 MINUTE PARKING 8:00 A.M. to 6:00 P.M.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Calhoun St.	east	Superior St.	150' N/thereof

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Tipton.
Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-133-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:37 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-11-04

SPECIAL ORDINANCE NO. S-765-71

AN ORDINANCE approving payment to JAMES E. HARDING for appraisal fees and expenses in connection with North Clinton Street Project ST-414"C".

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That payment to JAMES E. HARDING in the amount of \$29,888.00 for services, appraisal fees and expenses in connection with the acquisition of 32 parcels of land for the widening of North Clinton Street, Project ST-414"C", is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-765-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:38 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-11-21

SPECIAL ORDINANCE NO. S-766-71

AN ORDINANCE approving bid document Ref. No. 424 with ALLEN COUNTY MOTORS, INC. for 2 trucks and with JERRY WATSON FORD, INC. for 1 truck for the Traffic Engineering Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 424, approved November 16, 1971 by the City of Fort Wayne, by and through its Department of Purchases and Board of Public Safety-Traffic Engineering Department, for the following:

Purchase Order No. 3-02178, ALLEN COUNTY MOTORS, INC.

Item 1. One 3/4 ton truck Model F250 price after trade	\$3,199.00
Item 3. One 1 ton truck Model F350 price after trade	\$3,230.00

Purchase Order No. 3-02179, JERRY WATSON FORD, INC.

Item 2. One 1 ton chassis & cab Model F350 price after trade	\$2,605.88
--	------------

all as more specifically set forth on said bid document Ref. No. 424 and Purchase Orders 3-02178 and 3-02179, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote;

Ayes eight
Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-766-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:41 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-11-22

SPECIAL ORDINANCE NO. S-767-71

AN ORDINANCE approving contract with WAYNE ASPHALT AND CONSTRUCTION CO., INC. for resurfacing Northlawn Drive.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved November 8, 1971, between the City of Fort Wayne, by and through its Board of Public Works, and WAYNE ASPHALT AND CONSTRUCTION CO., INC., for:

Resurfacing Northlawn Drive from the east curb line of Parnell Avenue to the west property line of River Forest Drive,

for a total cost of \$6,745.85, all as more particularly set forth on BOARD OF PUBLIC WORKS PURCHASE ORDER NO. 4687, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Fay and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-767-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:42 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-08

SPECIAL ORDINANCE NO. S-768-71

AN ORDINANCE approving Resolution of Board of Public Works in connection with contract with NATIONAL SERV-ALL.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Board of Public Works Resolution No. 57-309-1 adopted December 8, 1971, with respect to NATIONAL-SERV ALL, and which Resolution is as follows:

"WHEREAS, the Board of Public Works entered into a contract with National Serv-All for the collecting, transportation and disposal of trash and garbage (solid waste) in the City of Fort Wayne, which contract was entered into on the 6th day of October, 1970; and,

WHEREAS, said contract placed a limitation on the position of garbage and trash to be collected, and said contract further provided that the contract was entered into under the circumstances and conditions existing at the time of execution, and that if either party should determine that conditions or circumstances affecting any of the terms, conditions, or promises had changed, the parties should negotiate and modify the contract; and,

WHEREAS, about March, 1971, National Serv-All, Inc. notified the Board of Public Works that certain conditions regarding wages had not correctly been assumed; and certain provisions regarding the placing of trash and garbage, particularly with regard to the distance from street and alley of placement were not practical; and,

WHEREAS, a sampling survey indicates 74% of homes with alley pickup locations, 50% of homes with curb pickup locations, and approximately 80% of apartment complexes are placing their trash and garbage at distances greater than allowed in present specifications,

WHEREAS, National serv-All, Inc. is providing service to those locations in violation as set forth above,

WHEREAS, the Board of Public Works desired to continue the service, though not conforming to the contract stipulation which required additional time and labor on the part of National Serv-All, Inc. and requested additional study and information in order to make changes both in specifications and in the payments to be made;

NOW, THEREFORE, BE IT RESOLVED that the specifications be changed to provide that in apartment complexes to provide for the pick up of garbage, trash and rubbish located within 25 feet of the truck drive-up position from the present 10 feet; that in other than apartment complexes, the permitted distance of placement be changed from 5 feet to 12 feet from curb or alley. Exact changes in specifications are as submitted. That as compensation for the services in picking up the containers from greater distances, as requested after the reorganization of the difficulties resulting from the greater distance required by the actual facts, as shown by the study over the distances provided in the specifications, with resulting increases in the cost of labor, the contractor National Serv-All, Inc. be granted additional compensation in the amount of \$48,730.00 for the year 1971; and that said amount be added to the base price for succeeding contract years, subject to the approval of the Common Council of the City of Fort Wayne."

is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

On motion by Nuckols seconded by Geake the rules of the Common Council were suspended by unanimous vote of the entire Council.

Read the third time in full and on motion by Nuckols seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-768-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:44 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. R-71-12-15

RESOLUTION NO. R-132-71

RESOLUTION authorizing the transfer of funds within the 1971 Budget of the Metropolitan Human Relations Commission.

WHEREAS, additional travel has been required to attend conferences and meetings and there are insufficient funds remaining in Account No. 3-2-213, Travel, in the 1971 Budget of the Metropolitan Human Relations Commission, to cover the travel expenses involved; and

WHEREAS, additional printing was required and there are insufficient funds remaining in Account No. 3-2-241, Printing, in the 1971 Budget of the Metropolitan Human Relations Commission to cover the cost of said printing; and

WHEREAS, there now exists in Account No. 3-2-212, Postage, in the 1971 Budget of the Metropolitan Human Relations Commission, an unobligated balance which is sufficient to cover the amounts herein transferred and which funds are not required for any other purpose;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That there is hereby transferred from Account No. 3-2-212, Postage, the sum of \$150.00 to Account No. 3-2-213, Travel, and the sum of \$25.00 to Account No. 3-2-241, Printing, in the 1971 Budget of the Metropolitan Human Relations Commission, and said Account No. 3-2-312, Postage, is hereby reduced in the amount of \$175.00.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-132-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:45 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. R-71-12-16

RESOLUTION NO. R-133-71

RESOLUTION approving contract between City of Fort Wayne and LAWRENCE-LEITER AND COMPANY to provide consulting services in connection with Community Renewal Program.

WHEREAS, the City of Fort Wayne has been awarded a Community Renewal Grant (IND., R-89(CR)) by the United States Department of Housing and Urban Development to assist the City in preventing and eliminating the physical deterioration of our Community through a planning grant; and

WHEREAS, the City wants to perform this program efficiently and expeditiously using both City administrative staff and consulting services;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That said City hereby approves a certain contract between the City of Fort Wayne and the consulting firm of Lawrence-Leiter and Company to provide consulting services to assist the City Administration in completing the first two work phases of the Program Design. These phases are;

a. Community Organization add Citizen Participation.

b. Social, Economic and Physical Analyses

2. Said contract be for an amount not to exceed \$43,500.00.

3. That the contract be for a period of ten months commencing on December 1, 1971 and terminating on September 30, 1972.

4. Said contract shall contain a provision stipulating a 30 day notice of cancellation.

5. Said contract shall contain among other things provisions for equal employment opportunity, copyright privileges, maintenance of records and methods or payments.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Dunifon and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-133-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:46 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. R-71-12-17

RESOLUTION NO. R-134-71

RESOLUTION approving application of City of Fort Wayne for recertification of Workable Program for Community Improvement for the next two years.

WHEREAS, the City of Fort Wayne, Indiana is concerned about improving conditions for all of its citizens; and

WHEREAS, the local government wants to maximize the opportunities for Federal and State assistance in this housing field; and

WHEREAS, the public and private sectors make substantial use of the United States Department of Housing and Urban Development programs; and

WHEREAS, the Workable Program for Community Improvement represents the City's commitment to continue and improve its efforts in the areas of codes and code enforcement, planning and programming, housing and relocation, and citizen involvement;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the City's application for recertification of the Workable Program for Community Improvement for the next two years is hereby approved subject to possible revisions to meet the requirements of the United States Department of Housing and Urban Development and future improvements during the next two years in the areas of: codes, code enforcement, planning, programming, housing, relocation and citizen involvement by the City Administration and that the Department of Urban Affairs of the City of Fort Wayne is requested to file said application with the United States Department of Housing and Urban Development.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-134-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:47 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. R-71-12-18

RESOLUTION NO. R-135-71

RESOLUTION authorizing payment for repairs to
City-owned building.

WHEREAS the City-owned building at 1717 South Lafayette Street was damaged in a fire on October 11, 1971; and

WHEREAS, settlement in the amount of \$1,440.62 has been paid by the surety, American State Insurance Company, to the City Controller's office, which money has been receipted into the General Fund; and

WHEREAS, the Fort Wayne Fire Department has filed a claim in the amount of \$305.45 for property loss, which sum is the reasonable value of said loss: City Utilities has filed a claim in the amount of \$141.17 for cleaning up debris and for painting, which sum is the reasonable value for said services; Pearson, Inc. has filed a claim in the amount of \$213.00 for recharging sprinkler system, which sum is the reasonable value for said services; and Standard Carpetland has filed a claim in the amount of \$781.00, which sum is the reasonable value for ~~said services~~ carpet and labor:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$305.45 to the Fort Wayne Fire Department for property loss.

2. That the City Controller is authorized to pay the sum of \$141.17 to City Utilities for cleaning up debris and for painting.

3. That the City Controller is authorized to pay the sum of \$213.00 to Pearson, Inc. for recharging sprinkler system.

4. That the City Controller is authorized to pay the sum of \$781.00 to Standard Carpetland for carpet and labor.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Dunifon and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Dunifon, Fay, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Date: 12-14-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-135-71 on the 14th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 17th day of December, 1971, at the hour of 2:48 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. Z-71-01-23

ZONING MAP ORDINANCE NO. Z-161-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. A-9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot No. 13, Except the East 2.5 feet thereof taken for widening of Clinton Street, in John H. Jacobs 3rd Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunfion, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-161-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:00 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. Z-71-09-10

ZONING MAP ORDINANCE NO. Z-162-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. E-23.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. E-23, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Located in S.E. $\frac{1}{4}$, Section 7, Township 31 North, Range 13 East. Bounded generally on the north by the westerly extension of the south right-of-way line of Swift Drive; bounded on the west by the east right-of-way line of I-69; bounded generally on the south by Bequetts Run; bounded on the east by the Leo Road, Commonly known as Highway #427,
More particularly described as follows, to-wit: Lots # 1 thru 4 inclusive of Popp's Subdivision, as recorded by Plat Book #12, Page #2, in the Office of the Allen County Recorder.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-162-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:01 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. Z-71-10-08

ZONING MAP ORDINANCE NO. Z-163-71

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols on the City of Fort Wayne Zoning Map No. A-9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A portion of land located on the northeast corner of Dunnwood Drive and Clinton Street; Lots 16, 17, 18 and 19 in France Addition to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays one, to-wit: Councilman Adams.
Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-163-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:02 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. X-71-11-09 (Amended)

ANNEXATION ORDINANCE NO. X-39-71

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Being part of Section 33, Township 31 North, Range 13 East, and Section 34, Township 31 North, Range 13 East, and Section 3, Township 30 North, Range 13 East, and Section 4, Township 30 North, Range 13 East, being part of the Kercheval Reserve, bounded on the north by Hicksville Road, more commonly known as East State Boulevard, bounded on the south and east by Maysville Road, also known as Lake Avenue, bounded on the west by the Fort Wayne Corporate Limits, as established by Annexation Ordinance No. X-13-68, except for some parcels of land totaling 127± acres in the southwest corner of the Hicksville and Maysville Road (Lake Avenue) intersection:

More particularly described as follows:

Beginning at the intersection of the North right-of-way of Maysville Road (Lake Avenue) and the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68; thence north along the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68 to the north right-of-way line of Hicksville Road (East State Boulevard); thence in a northeasterly direction along the north right-of-way line of Hicksville Road (East State Boulevard) to the east line of the fractional northwest $\frac{1}{4}$ of Section 34, Township 31 North, Range 13 East; thence south along said east line of the fractional northwest $\frac{1}{4}$ of Section 34, (assumed to be the northerly projection of West line of Lot # 2 in Browning Sub. of Kercheval Reserve) to the Northwest corner of Lot 2 in Browning Sub. of Kercheval Reserve as recorded in Deed Book W, Pages 387-388; thence continuing in a southerly direction along the west line of said Lot 2 in Browning Sub. to a point located 262.68± feet north of the southwest corner of said Lot 2 in Browning Sub., said point more particularly described as being the northwest corner of Lot # 77 of Lake Forest Extended, Section III as recorded in Plat Book 33, Pages 19-20; thence east on a line parallel to and 262.68± feet north of the south line of Lots 1 & 2 of said Browning Sub., to the westerly right-of-way line of Maysville Road (Lake Avenue); thence southwesterly along the westerly right-of-way line of Maysville Road (Lake Avenue) to the west line of said Kercheval Reserve; thence in a westerly direction along the north right-of-way line of Maysville Road (Lake Avenue) to the point of beginning.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and become effective January 1, 1974.

Donald J. Schmidt
Councilman

Read the third time in full and on motion by Schmidt, seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven

Adams, Dunifon, Geake, Rousseau, Schmidt, Steigerwald, Tipton.

Nays one, to-wit: Councilman Nuckols.

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-39-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:03 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-01

SPECIAL ORDINANCE NO. S-769-71

AN ORDINANCE approving bid document Ref. No. 427 with ALLEN COUNTY MOTORS, INC for 3 Sedans and with POINSATTE MOTORS, INC. for 4 sedans for the Board of Public Safety, Police Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 427, approved November 24, 1971 by the City of Fort Wayne, by and through its Department of Purchases and Board of Public Safety, Police Department, for the following:

Purchase Order No. 3-02412, ALLEN COUNTY MOTORS, INC.	
Item 1. Three Custom 4-Door Sedans - Price after trade-in	\$8,156.00

Purchase Order No. 3-02413, POINSATTE MOTORS, INC.	
Item 2. Four Plymouth Fury 1, 4 door Sedans - Price after trade-in	\$10,136.84

all as more specifically set forth on said bid document Ref. No. 427 and Purchase Orders 3-02412 and 3-02413, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

REad the third time in full and on motion by Tipton seconded by Dunifon and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-769-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:04 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-02

SPECIAL ORDINANCE NO. S-770-71

AN ORDINANCE approving Bid Document Ref. No. 429, Item 1, with MEEK-MACK, INC. for lease purchase contract for two Pumpers for the Fire Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 429, Item 1, approved December 8, 1971 between the City of Fort Wayne, by and through its Board of Public Safety and Department of Purchases, and MEEK-MACK, INC. for the following:

A lease purchase contract for the lease of two (2) 1250 GPM, Pumpers (Fire Trucks). First annual payment due on delivery consisting of \$10,000.00 cash plus trade in allowance of \$2,000.00, making a total payment of \$12,000.00 on acceptance, and eight annual rental payments of \$11,190.00 each and one annual payment of \$11,196.12. Subject to the budget laws of the State of Indiana,

as more particularly set forth in said bid document Ref. No. 429, Item 1 and Purchase Order No. 3-02490, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.,

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-770-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:05 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-03

SPECIAL ORDINANCE NO. S-771-71

AN ORDINANCE approving contract with GRAYBAR ELECTRIC COMPANY for Drop Wire for the Light Construction Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved November 24, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GRAYBAR ELECTRIC COMPANY, for:

100,000 ft. Triplexed Service Drop Wire, for the Light Construction Department, for a total cost of \$7,725.00, all as more specifically set forth on CITY UTILITIES PURCHASE ORDER NO. 3839, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-771-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:06 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-04

SPECIAL ORDINANCE NO. S-772-71

AN ORDINANCE approving Agreement to Purchase Real Estate in connection with the Harvester Ditch Flooding Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement to Purchase real estate in connection with the Harvester Ditch Flooding Project, dated November 4, 1971, between the City of Fort Wayne, by and through its Board of Public Works, and J. ELAINE DANNER, BARBARA S. MARKS, BONNIE J. TAYLOR and RONALD E. TAYLOR, for the real estate described as follows, to-wit:

Lot Numbered 59 in Shadybrook Addition to the City of Fort Wayne, Allen County, Indiana (2108 Shady Brook Drive),

for the sum of \$5,500.00, cash to be paid upon the delivery of a good and sufficient Warrant Deed for said real estate, all as more particularly set forth in said Agreement to Purchase, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-772-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:07 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-05

SPECIAL ORDINANCE NO. S-773-71

AN ORDINANCE approving Amendments to Contract with INDIANA SUBURBAN SEWERS, INC.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following amendments to the existing contract between INDIANA SUBURBAN SEWERS, INC. and the CITY OF FORT WAYNE, to-wit:

- (1.) (a) Deletion of area from "Contract Area" as outlined in Orange on attached map.
- (b) The seven-year option to purchase remain, with effective date of January 1, 1976 running to January 1, 1983.
- (c) Rate structure adjusted to reflect current City rates effective May, 1969.
- (d) Escrow account provision eliminated.
- (e) City agrees to receive sewage from Meadowbrook area, providing Indiana Suburban Sewers, Inc. is found to have authority to handle said sewage and will construct and pay for meter at point of connection, paying rates in (c) above.
- (f) Indiana Suburban Sewers, Inc. agrees to complete "Phase II" of construction (from U.S. Highway 30 South to Penn Central Railroad) by September 1, 1972, and failure to meet this schedule shall constitute a forfeiture of all rights and privileges under this contract, and shall authorize the City to construct "Phase II" and serve "Phase II" areas and all other areas within the contract area.
- (g) Future rate increases shall be effective at the time of passage of requisite ordinances.
- (2.) Indiana Suburban Sewers, Inc. obtain a release of CTA from P.S.C.I. for all areas included within the Orange area on the attached map.
- (3.) Indiana Suburban Sewers, Inc. supply to City copies of drawings and easements for all existing sewers.
- (4.) Indiana Suburban Sewers, Inc. submit current list of all connection charges paid and unpaid at the time this proposal is accepted. No additional charges shall be collected by Indiana Suburban Sewers, Inc. and all charges paid by parties within the orange area after acceptance of this proposal, shall be the property of the City.
- (5.) Upon completion of above Items 1 - 4, City will pay Indiana Suburban Sewers \$1,037,000 CASH, less money due City for delinquent sewage treatment services, estimated at \$75,000.00.,

are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Dunifon seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-773-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:08 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-06

SPECIAL ORDINANCE NO. S-774-71

AN ORDINANCE approving contract with the State of Indiana (Indiana State Highway Commission) for Vehicle Detectors, (T.O.P.I.C.S.) Indiana Project T-6002-(6).

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract approved August 11, 1971 between the City of Fort Wayne, by and through its Board of Public Safety-Traffic Engineering Department, and Department of Purchases, and the State of Indiana, through the Indiana State Highway Commission for furnishing and installing of 94 complete vehicle detectors in the various locations of the central business district of the City of Fort Wayne, under T.O.P.I.C.S. Project T-6002-(6), the total cost of said contract not to exceed \$42,759.27, of which the City shall pay \$21,379.63, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Board of Public Safety, Traffic Engineering Department, is hereby authorized to deposit the City's share of said contract price, not to exceed \$21,379.63, with the State of Indiana Highway Commission.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Fay

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-774-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:09 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-07

SPECIAL ORDINANCE NO. S-775-71

AN ORDINANCE approving Change Order No. 1 with HIPSKIND ASPHALT CORPORATION in connection with Street Improvement Resolution No. 5577-1970, State Boulevard from Coliseum Boulevard to Reed Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 with HIPSKIND ASPHALT CORPORATION in connection with Street Improvement Resolution No. 5577-1970, State Boulevard from Coliseum Boulevard to Reed Road, for additional necessary items for a total cost of \$1,296.91, as more particularly set forth on Change Order No. 1, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-775-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:10 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-09

SPECIAL ORDINANCE NO. S-776-71

AN ORDINANCE approving contract with I.B.M. CORPORATION for alternation of I.B.M. 1801 Computer for the Traffic Engineering Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved November 24, 1971, between the City of Fort Wayne, by and through its Department of Purchases and Board of Public Safety, and I.B.M. CORPORATION, for:

Alternation of present I.B.M. 1801 Computer by adding one Disc Drive and Pin Feed Platen to increase the capacity. (Delivery 6 to 12 months),

for a total cost of \$8,736.00, all as more specifically set forth on Purchase Order No. 3-02411, which is on file in the office of the Department of Purchases and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-776-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:11 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. S-71-12-10

SPECIAL ORDINANCE NO. S-777-71

AN ORDINANCE approving Change Order No. 1 with BERCOT-GIBSON CONSTRUCTION COMPANY in connection with Sewer Resolution No. 830-1970, Bluffton Road-Engle Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 with BERCOT GIBSON CONSTRUCTION COMPANY in connection with Sewer Resolution No. 830-1970, Bluffton Road-Engle Road, to support trench walls and avoid cave-ins of adjoining highway and water main, for a total cost of \$22,001,42, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-777-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:12 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor!

Bill No. S-71-12-11

SPECIAL ORDINANCE NO. S-778-71

AN ORDINANCE approving Bid Document Ref. No. 429, Item 2, with AMERICAN LAFRANCE, DIVISION OF A-T-O INC. for lease purchase contract for one 100 foot Aerial Ladder, Fire Apparatus.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 429, Item 2, approved December 8, 1971 between the City of Fort Wayne, by and through its Board of Public Safety and Department of Purchases, and AMERICAN LAFRANCE, DIVISION OF A-T-O INC. for a lease purchase contract for the lease of one 100 foot American Lafrance Aerial Ladder, Fire Apparatus, for annual rental payments as follows:

On delivery of the equipment				\$7,089.00
2nd Annual	\$10,215.25	6th Annual		\$8,825.81
3rd Annual	9,867.89	7th Annual		8,478.44
4th Annual	9,520.53	8th Annual		8,131.08
5th Annual	9,173.17	9th Annual		7,783.72
		10th Annual		7,436.36

as more particularly set forth in said bid document Ref. No. 429, Item 2, and Purchase Order No. 3-02491, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Tipton seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Adams, Dunifon, Geake, Nuckols, Rousseau, schmidt, Steigerwald, Tipton.

Nays none

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-778-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:13 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. G-71-12-13

GENERAL ORDINANCE NO. G-134-71

AN ORDINANCE providing for a review of filling station zoning by the Plan Commission and declaring a moratorium on such rezoning pending such review.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Pursuant to Section 42 of the Acts of 1947 of the Indiana General Assembly, codified as IC 1971, 18-7-5-44, the Common Council hereby directs the Plan Commission to review the master plan and zoning Ordinance of the City of Fort Wayne as they apply to service stations and to prepare such amendments as such review may show to be desirable and to submit such amendments to public hearing and report to the Common Council.

SECTION 2. To provide a reasonable time for such review and action and to protect all developers and citizens from the filing of large numbers of petitions to rezone while such review is in progress, the Common Council hereby declares that it will not introduce or act upon any bill for an ordinance to rezone for service station purposes prior to July 1, 1972.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Celia Ann Fay
Councilman

Read the third time in full and on motion by Tipton seconded by Rousseau and duly adopted, placed on its passage. Passed by the following vote:

Ayes six

Adams, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.

Nays two, to-wit: Councilmen Dunifon and Tipton.

Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-134-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:14 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. G-71-12-14

GENERAL ORDINANCE NO. G-135-71

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a public street in Centlivre Park Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public street by CALVARY TEMPLE, INC. OF FORT WAYNE, INDIANA, having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on November 8, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes, 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

A platted but unnamed street 25 feet in width extending along the north side of Lot No. 5, Centlivre Park Addition to the City of Fort Wayne, from the west line of Clinton Street to the east line of Eastbrook Drive, Fort Wayne, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Tipton seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-135-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:15 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. R-71-12-28

RESOLUTION NO. R-136-71

RESOLUTION authorizing payment for repairs
to City-owned vehicles and property.

WHEREAS, the guard rail 40 feet west of the Paper Mill Bridge on St. Joe Center Road was damaged in an accident; settlement in the amount of \$268.24 was paid by the surety, Ohio Casualty Insurance Company, to the Controller's Office, which money was receipted into the General Fund; and D. J. Brandenberger, Inc. has repaired said guard rail and has filed a claim in the amount of \$268.24, which sum is the reasonable value of said repairs; and

WHEREAS, Board of Works Unit #295 was damaged in an accident on December 6, 1971; settlement in the amount of \$166.81 was paid by Larry J. Robinson to the Controller's Office, which money was receipted into the General Fund; and Kenny Boger Body Shop, Inc. has submitted the low estimate for repairs to said vehicle in the amount of \$166.81, and which repairs will be made on December 30, 1971; and

WHEREAS, Police Car #55 was damaged in an accident and settlement in the amount of \$293.05 was paid by the surety, Allstate Insurance Company, to the Controller's Office, which money was receipted into the General Fund; and Allen County Motors has repaired said vehicle and has filed a claim in the amount of \$295.03, which sum is the reasonable value of said repairs:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$268.24 to D. J. Brandenberger, Inc. for repairs to the guard rail on St. Joe Center Road.

2. That the City Controller is authorized to pay the sum of \$166.81 to Kenny Boger Body Shop, Inc, for repairs to Board of Works Unit #295 to be done on December 30, 1971.

3. That the City Controller is authorized to pay the sum of \$295.05 to Allen County Motors for repairs to Police Car #55.

Edwin J. Rousseau
Councilman

Read the third time in full and on motion by Rousseau seconded by Tipton and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Adams, Dunifon, Geake, Nuckols, Rousseau, Schmidt, Steigerwald, Tipton.
Nays none
Absent one, to-wit: Councilman Fay.

Date: 12-28-71.

Fuad G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-136-71 on the 28th day of December, 1971.

ATTEST: (SEAL)

Fuad G. Bonahoom
City Clerk

Phil A. Steigerwald
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom
City Clerk

Approved and signed by me this 29th day of December, 1971, at the hour of 9:16 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor.

Bill No. G-71-11-14

GENERAL ORDINANCE NO. G-01-72

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Barr Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street by FORT WAYNE REDEVELOPMENT COMMISSION having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on August 18, 1969 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Barr Street which lies between the South right-of-way of the Nickel Plate Railroad and the North property line of Main Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine
Burns, Hinga, Kraus, Nuckols, Mes, D. Schmidt, V. Schmidt, Steir, Talarico.
Nays none

Date: 1-11-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-01-72 on the 11th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Approved and signed by me this 12th day of January, 1972, at the hour of 2:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-71-12-19

SPECIAL ORDINANCE NO. S-01-72

AN ORDINANCE approving contract with WESTINGHOUSE ELECTRIC SUPPLY CO. for Copper Network Cable for the Light Construction Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved December 22, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and WESTINGHOUSE ELECTRIC SUPPLY CO., for:

18,000 feet of Copper Network Cable for the Light Construction Department,
for a total cost of \$21,564.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 4170, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico.

Nays none

Date: 1-11-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-01-72 on the 11th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1972, at the hour of 2:31 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-71-12-20

SPECIAL ORDINANCE NO. S-02-72

AN ORDINANCE approving contract with GLADIEUX REFINERY, INC. for #2 Gas Turbine Fuel Oil.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved December 22, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GLADIEUX REFINERY, INC., for:

750,000 gallons #2 Gas Turbine Fuel Oil, for use in the auxillary turbine
for a total cost of \$84,225.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 4072, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack K. Dunifon
Councilman

Read the third time in full and on motion by Burns seconded by Donald Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico.

Nays none

Date: 1-11-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-02-72 on the 11th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officers

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1972, at the hour of 2:32 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-71-12-21

SPECIAL ORDINANCE NO. S-03-72

AN ORDINANCE approving contracts with MIDWEST AGGREGATES CO., INC., CANYON SAND & GRAVEL CO., MAY STONE & SAND, INC., PAUL C. BRUDI STONE & GRAVEL CO. and PERFECTION GRAVEL, INC. for the City's requirements of various aggregates for the year 1972.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contracts approved December 17, 1971 between the City of Fort Wayne, by and through its Mayor, Board of Public Works and Department of Purchases, and MIDWEST AGGREGATES CO., INC., CANYON SAND & GRAVEL CO., MAY STONE & SAND, INC., PAUL C. BRUDI STONE & GRAVEL CO. and PERFECTION GRAVEL, INC., for the City's requirements of stone, sand and various aggregates from January 1, 1972 to December 31, 1972, as more specifically set forth in Bid Document Ref. No. 421 which is on file in the office of the Department of Purchases and is by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico.

Nays none

Date: 1-11-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-03-72 on the 11th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1972, at the hour of 2:33 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-71-12-22

SPECIAL ORDINANCE NO. S-04-72

AN ORDINANCE approving Agreement with MACKE DEVELOPMENT CORPORATION for construction of sanitary sewer for Fox Point Apartments area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved December 20, 1971 between MACKE DEVELOPMENT CORPORATION, as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer to serve the Fox Point Apartments and others, as follows:

A 10 inch sanitary sewer 937 feet in length and an 8 inch sanitary sewer 620 feet in length along the East side of South Anthony Boulevard, Fort Wayne, in Adams Township, Allen County, Indiana, commencing at an existing manhole located approximately 160 feet South of the intersection of the centerline of South Anthony Boulevard and U. S. Highway #27, in the right of way at the Southeast corner of said streets; thence South along and in the East half of the right of way of South Anthony Boulevard a distance of 1,557 feet terminating at a proposed manhole,

the total cost of said sewer to be paid by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico.
Nays none

Date: 1-11-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-04-72 on the 11th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1972, at the hour of 2:34 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-71-12-23

SPECIAL ORDINANCE NO. S-05-72

AN ORDINANCE approving contract with L. W. DAILEY, INC. for paving Dodge Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved December 14, 1971, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and L. W. DAILEY, INC., for:

Street Improvement Res. No. 5604-1971, paving Dodge Avenue from the west property line of Ellwood Road to the west property line of Reed Road, in the amount of ----- \$55,354.00,

all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico

Nays none

Date: 1-11-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-05-72 on the 11th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1972, at the hour of 2:35 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. Z-71-10-10

ZONING MAP ORDINANCE NO. Z-01-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the Symbols on the City of Fort Wayne Zoning Map No. A-10 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the East half of the Southeast quarter of Section 23, Township 30 North, Range 12 East, Allen County, Indiana: Bounded on the North by Doan Drive, bounded on the West by Calhoun Street, bounded on the East by Noll Road, bounded on the South by a line 430± lineal feet North of and parallel to the North right-of-way line of Paulding Road, being part of space described by Deed Book #507, Page #409 and #410, more particularly described as follows:

Beginning at the point formed by the intersection of the East Right-of-way line with the South right-of-way line of Doan Drive respectively described by Deed Record #508, page #367, and Deed Record #508, page #365; thence East 285± lineal feet to the West right-of-way line of Noll Drive as described by Deed Record #508, page #365; thence South along the West right-of-way line of said Noll Drive 150 feet; thence West 285± lineal feet; 150 feet South of and parallel to said South right-of-way line of Doan Drive to the East right-of-way line of said Calhoun Street; thence North along the East right-of-way line of said Calhoun Street 150 feet to the point of beginning, containing approximately 0.98 of an acre.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico.

Nays none

Date: 1-25-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-01-72 on the 25th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of January, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-72-01-01

SPECIAL ORDINANCE NO. S-06-72

AN ORDINANCE approving Agreement for Sewer Extension between MARATHON OIL COMPANY and CITY OF FORT WAYNE, for sanitary sewer extension known as Hobson Road - State Road 37 sanitary sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement for Sewer Extension, finally approved January 3, 1972, between MARATHON OIL COMPANY, as Owner, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer extension to serve the area known as Hobson - State Road #37 Marathon Site, the total cost of said sewer to be paid by Owner, all as more particularly set forth in said Agreement which is on file in the office of the Board of Public Works and is hereby reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Owner, and any owner or owners of land, their successors in title and assigns, which is now or hereafter located outside the corporate limits of the City of Fort Wayne, Indiana, who connects into the sewer constructed hereunder shall be deemed to hereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by the City of Fort Wayne of such land or of the territory in which such land is located or of the area served by said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 1-25-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-06-72 on the 25th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of January, 1972, at the hour of 10:01 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-72-01-02

SPECIAL ORDINANCE NO. S-07-72

AN ORDINANCE amending Special Ordinance No. S-686-71 by approving an Amended Agreement for Sewer Extension between GALLMEYER REALTY COMPANY and CITY OF FORT WAYNE, for sanitary sewer extension to serve the new Industrial Park in the area of Hadley Road and Bass Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The amended Agreement for Sewer Extension, finally approved January 4, 1972, between GALLMEYER REALTY COMPANY, as Owner, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer extension to serve the proposed industrial park complex located along the Hadley Road south of the Bass Road, the total cost of said sewer to be paid by Owner, all as more particularly set forth in said Agreement which is on file in the office of the Board of Public Works and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Owner, and any owner or owners of land, their successors in title and assigns, which is now or hereafter located outside the corporate limits of the City of Fort Wayne, Indiana, who connects into the sewer constructed hereunder shall be deemed to hereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by the City of Fort Wayne of such land or of the territory in which such land is located or of the area served said said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V.Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 1-25-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-07-72 on the 25th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of January, 1972, at the hour of 10:02 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. G-72-01-05

GENERAL ORDINANCE NO. G-02-72

AN ORDINANCE repealing General Ordinance
No. G-118-71.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That General Ordinance No. G-118-71, adopted by the Common Council on July 13, 1971, is hereby repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Kraus seconded by V.Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Burns, Hinga, Kraus, Nuckols, M ses, V.Schmidt, Stier, Talarico.

Nays one, to-wit: Councilman D.Schmidt.

Date: 1-25-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-02-72 on the 25th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of January, 1972, at the hour of 10:03 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-01-09

RESOLUTION NO. R-01-72

RESOLUTION designating time and place
of meetings of the Common Council to
be held in the various Councilmanic
Districts.

WHEREAS, Acts of 1905, Ch. 129, Sec. 48, P219 being Burns Indiana Revised Statutes, 1963 Repl. Vol. Sec. 48-1402 requires a City Council to hold its first regular meeting on the first Monday in January, after their election, at the hour of 7:30 P.M. in the Council Chamber, and said law permits the Common Council of the City of Fort Wayne, Indiana, to hold all its other regular meetings at any place it may designate, provided regular meetings are held at least once a month; and,

WHEREAS, the Common Council of the City of Fort Wayne in committee session on Tuesday, January 18, 1972, voted to permit the Common Council to hold six (6) of its regular meetings during the year 1972 in public school auditoriums in the various councilmanic district of the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana that pursuant to law and authority given it, the regular meetings of the Common Council of the City of Fort Wayne, Indiana shall be held on the dates, at the places and within the respective districts and at the times hereafter noted:

<u>Date</u>	<u>School</u>	<u>District - Time</u>
March 14, 1972	John S. Irwin School 3501 S. Anthony Blvd.	6th District - 7:00 P.M.
April 11, 1972	Harrison Hill Jr. High Cornell Circle	5th District - 7:00 P.M.
May 9, 1972	Memorial Park School 2200 Maumee Avenue	1st District - 7:00 P.M.
Sept. 12, 1972	Forest Park School 2004 Alabama Avenue	2nd District - 7:00 P.M.
Oct. 10, 1972	Franklin Junior High 1903 St. Marys Avenue	3rd District - 7:00 P.M.
Nov. 14, 1972	Kekionga Junior High 2929 Engle Road	4th District - 7:00 P.M.

Samuel Talarico, Chairman
Winfield C. Moses, Jr., Vice-Chairman
Eugene Kraus, Jr.
Donald J. Schmidt
Paul M. Burns

John Nuckols
James Stier
Vivian G. Schmidt
William T. Hinga

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.
Nays none

Date: 1-25-72.

Charles W. Westerman
City Clerk

Passed and adopted by the common Council of the City of Fort Wayne, Indiana, as Resolution No. R-01-72 on the 25th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of January, 1972, at the hour of 10:04 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-01-10

RESOLUTION No. R-02-72

RESOLUTION authorizing payment for repairs to a cement culvert at Director's and Secretary Avenue.

WHEREAS, Jean C. Jansen, in an accident on December 12, 1971, damaged cement culvert at Director's and Secretary Avenues, and

WHEREAS, settlement in the amount of \$129.11 was paid by Jean C. Jansen, to the Controller's Office, which money was received into the General Fund,

WHEREAS, D. J. Brandenberger, Inc. has submitted an invoice for \$129.11 for the repair of said culvert,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$129.11 to D. J. Brandenberger, Inc. for repairs to cement culvert.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V.Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 1-25-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-02-72 on the 25th day of January, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of January, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of January, 1972, at the hour of 10:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. G-72-01-08

GENERAL ORDINANCE NO. G-03-72

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of the first alley north of Superior Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street and alley by BOSEKER MACHINE WORKS, INC. by P. F. Jacobs, President having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on December 20, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first alley north of Superior Street from a point 185 feet east of the east property line of Ross Street to its eastern terminus at the St. Mary's River.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 2-8-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-03-72 on the 8th day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1972 at the hour of 8:30 o'clock A.M. E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of February, 1972, at the hour of 9:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-02-09

RESOLUTION NO. R-03-72

RESOLUTION approving Memorandum of Understanding
between City of Fort Wayne and Department of
Housing and Urban Development.

WHEREAS, the City of Fort Wayne, Indiana is concerned about improving conditions for all of its citizens; and

WHEREAS, the local government wants to maximize the opportunities for Federal and State assistance in the housing field; and

WHEREAS, the public and private sectors make substantial use of the United States Department of Housing and Urban Development programs; and

WHEREAS, The Workable Program for Community Improvement represents the City's commitment to continue and improve its efforts in the areas of codes and code enforcement, planning and programming, housing and relocation, and citizen involvement; and

WHEREAS, the City of Fort Wayne and the Department of Housing Development have reached an agreement as to the terms of a Memorandum of Understanding relative to approval of the City's Request for Recertification of Workable Program;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the aforesaid Memorandum of Understanding is hereby approved.

William T. Hinga
Councilman

Read the Third time in full and on motion by Hinga seconded by V.Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 2-8-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-03-72 on the 8th day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of February, 1972, at the hour of 9:46 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-02-10

RESOLUTION NO. R-04-72

A RESOLUTION concerning an application for a Model Public Personnel Program to be funded through the intergovernmental Personnel Act Program.

WHEREAS, there is lacking a well structured and defined municipal personnel system within the City of Fort Wayne; and

WHEREAS, the absence of sound policies, procedures and practices in this area makes it imperative that the Administration move as quickly as possible to correct these problems; and

WHEREAS, through the Intergovernmental Personnel Act Program, the possibility of accomplishing the development of a model public personnel program becomes a reality.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City of Fort Wayne apply for a model public personnel program to be funded through the Intergovernmental Personnel Act Program (or a 75-25 ratio) and to consist of three experienced personnel specialists who will implement an effective and progressive municipal personnel system.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V.Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.
Nays none

Date: 2-8-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-04-72 on the 8th day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of February, 1972, at the hour of 9:47 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-02-11

RESOLUTION NO. R-05-72

RESOLUTION concerning a grant application for a Mayor's Secretariat Staff to the Area III, Manpower Area Planning Council.

WHEREAS, the increasing level of Federal legislation in the area of manpower, and the resulting programs, have made the need for coordination of manpower activities and comprehensive manpower planning at the local level imperative; and

WHEREAS, the many agencies, both private and public, involved in manpower programs at the local level imply the need for a planning mechanism or organization which will bring together all the diverse groups making a contribution in this area to provide for the more equitable distribution of Federal and State manpower funds within the area and to pool manpower planning resources so that all communities, large and small, may partake of expertise in manpower planning and securing state and federal funding; and

WHEREAS, the effort to devise new cooperative methods between the Federal, State and local governments, necessitates innovative planning and coordinating mechanisms at the local level;

The Community of Fort Wayne and Area III to be served by the Manpower Area Planning Council, has undergone many positive changes as well as reassessed its importance so as to allow for the reordering of priorities relative to manpower needs in this section of the State of Indiana;

Apparent from the changes are an increased awareness on the part of Elective Officials to participate in Federally funded manpower programs as evidenced by the recent acceptance of Emergency Employment Act (EEA) funds by Fort Wayne and some rural counties in Area III. Also, for the first time in the six year history of Neighborhood Youth Corps, there was full NYC participation during the summer of '71 in every County in Northeastern Indiana. This was achieved through the cooperation of the Mayors and the City Councils in the various communities of Area III;

Concurrently, more emphasis has been placed on the interaction of manpower agency people, community organizations, and avoid duplication of service and the reordering of priorities. This was evidenced by the "Summer Jobs '71", which centered all summer youth job recruiting in one central location. It brought together in one place, the Indiana State Employment Service, the National Alliance of Businessmen, the Neighborhood Youth Corps, and the Fort Wayne Youth Commission. The facilities were provided by the governing body of the City of Fort Wayne; and

WHEREAS, understanding the manpower needs of the area, affords the opportunity to deal with those needs and, at the same time, develop a comprehensive manpower plan that will assist in the alleviation of manpower needs;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That an application for a Mayor's Secretariat Staff shall be made by the City of Fort Wayne to the Area III Manpower Area Planning Council.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 2-8-72.

Charles W. Westerman
Councilman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-05-72 on the 8th day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of February, 1972, at the hour of 9:48 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-02-12

RESOLUTION NO. R-06-72

RESOLUTION approving cancellation of contract between City of Fort Wayne and LAWRENCE-LEITER AND COMPANY to provide consulting services in connection with Community Renewal Program and further approving contract between City of Fort Wayne and CITY PLANNING ASSOCIATES, INC. for the same purpose.

WHEREAS, the City of Fort Wayne has been awarded a Community Renewal Grant (IND. R-89 (CR) by the United States Department of Housing and Urban Development to assist the City in preventing and eliminating the physical deterioration of the Community through a planning grant; and

WHEREAS, the City desires to achieve the objectives of said Grant efficiently and expeditiously using both the City administrative staff and outside consulting services; and

WHEREAS, the City of Fort Wayne had entered into a contract with Lawrnece-Leiter and Company by which said Lawrence-Leiter and Company was to provide consulting services to assist the City Administration in completing the first two work phases of the Program Design; and

WHEREAS, said Lawrence-Leiter and Company had no office close to the City of Fort Wayne and consequently would have been unable to provide maximum assistance to the City Administration; and

WHEREAS, the City of Fort Wayne is desirous of cancelling said contract with Lawrence-Leiter and Company according to its terms; and

WHEREAS, the City of Fort Wayne is desirous of entering into a similar contract with City Planning Associates, Inc., a corporation organized and existing under the laws of the State of Indiana and having its principal place of business in the City of Mishawaka, Indiana; and

WHEREAS, the principal place of business of said City Planning Associates, Inc. is so situated as to facilitate communications between its representatives and the representatives of the City of Fort Wayne.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City of Fort Wayne hereby approves the cancellation of the certain contract between The City of Fort Wayne and the consulting firm of Lawrence-Leiter and Company.

2. That the City of Fort Wayne hereby approves a certain contract between the City of Fort Wayne and the consulting firm of City Planning Associates, Inc., to provide consulting services to assist the City Administration, which services are more specifically described as follows:

A. Program Organization and Review

- 1. Organize and meet with TCC - 3 meetings
- 2. Organize and meet with CAB - 6 meetings

B. Background Papers

- 1. Historical Growth and Development
- 2. Review of CRP Related Activities

C. Physical Component

- 4d. Train survey crew
- 4e. Conduct survey
- 4f. Date Transfer
- 5. Survey of Community Facilities
- 6. Survey of Public Utilities
- 10. Urban Information System

D. Social Component

- 1. Social Problem Study

E. Economic-Demographic Component

- 1. Data Book.

3. That said contract be for an amount not to exceed \$42,800.00.

4. That said contract shall terminate on June 30, 1972,

5. That said contract shall contain among other things provisions for equal employment opportunity, copyright privileges, maintenance of records and methods of payments.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, M ses, D.Schmidt, V.Schmidt, Stier, Talarico.

Nays none

Date: 2-8-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-06-72 on the 8th day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of February, 1972, at the hour of 9:49 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. R-72-02-13

RESOLUTION NO. R-07-72

RESOLUTION authorizing payment for repairs to City-owned air conditioning condensing unit.

WHEREAS, Arden Leakey, in an accident on September 29, 1971, damaged the 5 Ton Chrysler Air Conditioning Condensing Unit on the south side of Fire House No.5 on the Bluffton Road, and

WHEREAS, settlement in the amount of \$105.00 was paid by State Farm Insurance to the Controller's Office, which money was received into the General Fund, and

WHEREAS, Pearson, Inc. has submitted an invoice for \$105.00 for repair of said Condensing Unit,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the claim of Pearson, Inc. in the amount of \$105.00.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V.Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine

Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Talarico, Stier.

Nays none

Date: 2-8-72.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-07-72 on the 8th day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of February, 1972 at the hour of 8:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of February, 1972, at the hour of 9:50 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor.

Bill No. S-72-02-01

SPECIAL ORDINANCE NO. S-08-72

AN ORDINANCE approving the creation of a certain appointive office and amending Special Ordinance No. S-713-71 by fixing the salary for such appointive office for the year 1972.

WHEREAS, the Mayor of the City of Fort Wayne wishes to create a certain appointive office and to fix the salary for the same and he has submitted a report of the same for the action and approval of this Council; and

WHEREAS, the Board of Public Works, as the administrative authority in control of the operations of the City Light and Power Works and the City Water Works, the same being utilities owned and operated by the City of Fort Wayne, has fixed certain additional compensation for a certain appointive office.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. There is hereby created the appointive office of Director Human Resources. The Director of Human Resources shall be a member of the Board of Works and he shall perform the following additional duties; the review of all grants for Federal and State financial and technical assistance, and the recommendation, where appropriate, that such grants be sought; the supervision of the coordinator of urban affairs; meeting with the Citizens's Advisory Board; meeting with and coordinating the activities of all city departments responsible for urban renewal, housing code enforcement, public house, planning, youth services and intergroup relations; developing and maintaining a resource directory on available Federal and State funding sources; meeting with the governor's administrative assistance responsible for the state office of community affairs; meeting with state and regional federal government staff responsible for the funding, monitoring and evaluation of government grants; supervising all staff coming directly under the Office of Human Resources; coordinating and working with all other city and county agencies providing human services.

SECTION 2. Special Ordinance S-713-71 is hereby amended by providing that the compensation to be paid such Director of Human Resources shall be paid by virtue of his position as a member of Board of Public Works. His total compensation shall be \$16,400 of which \$7,012.00 shall be paid by the City of Fort Wayne and the remaing sum of \$9,388.00 shall be paid one-half by the City Light and Power Works and one half by the City Water Works.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Steir and duly adopted, placed on its passage. Passed by the following vote:

Ayes five
Hinga, K^{rs}, Nuckols, Steir, Talarico
Nays three
Burns, Moses, V. Schmidt
Absent D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. S-08-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-72-02-02

SPECIAL ORDINANCE NO. S-09-72

A SPECIAL ORDINANCE approving the creation of a certain appointive office and amending Special Ordinance No. S-713-71 by fixing the salary for such appointive office for the year 1972.

WHEREAS, the Mayor of the City of Fort Wayne wishes to create a certain appointive office and to fix the salary for the same and he has submitted a report of the same for the action and approval of this Council;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created the appointive office of Director of Public Safety. He shall serve as the Chairman of the Board of Public Safety. The Director of Public Safety shall be an individual who is knowledgeable and experienced in administration or management, and has demonstrated an interest in the safeguarding of the citizens of the city. He shall hold no other elective office or appointive office in either, city, county or state government.. He shall be disciplined in police work and police functions. He shall be responsible for the care, management, supervision and control of all matters and property relating to police, fire, traffic engineering, communications, and weights and measures departments.

SECTION 2. His salary shall be \$16,576.00.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico

Nays none

Absent one D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. S-09-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-72-02-06

SPECIAL ORDINANCE NO. S-10-72

AN ORDINANCE approving Agreement for Sewer Improvement between Scheele Construction Company, Inc., and City of Fort Wayne, for sanitary sewer improvement at Orchard Lane and Waynedale Boulevard.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

SECTION 1. The Agreement for Sewer Improvement, finally approved January 27, 1972 between Scheele Construction Company, Inc., as Owner, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer improvement at Orchard Lane and Waynedale Boulevard, the total cost of said sewer to be paid by Owner, all as more particularly set forth in said Agreement which is on file in the office of the Board of Public Works and is hereby reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hings, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-10-72 on the 22nd. day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-72-02-05

SPECIAL ORDINANCE NO. S- 11-72

AN ORDINANCE approving Agreement for Sewer Extension between Riviera Plaza, Inc. and City of Fort Wayne, for sanitary Sewer extension of the St. Joe Interceptor, Division IV.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

SECTION 1. The Agreement for Sewer Extension, finally approved January 27, 1972, between Riviera Plaza, Inc., as Owner, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer extension to serve the shopping center at the northwest corner of St. Joe Center and St. Joe Roads, the total cost of said sewer to be paid by Owner, all as more particularly set forth in said Agreement which is on file in the office of the Board of Public Works and is hereby reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. The Owner, and any owner or owners of land, their successors in title and assigns, which is now or hereafter located outside the corporate limits of the City of Fort Wayne, Indiana, who connects into the sewer constructed hereunder shall be deemed to hereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by the City of Fort Wayne of such land or of the territory in which such land is located or of the area served by said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent D. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-11-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd. day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-72-02-03

SPECIAL ORDINANCE NO. S- 12-72

AN ORDINANCE approving Water Contract No. 7137 between MINI-MANSIONS PARK and FORT WAYNE WATER UTILITY for Main on the Dunkelberg Road from Bluffton Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

SECTION 1. The Water Contract No. 7137 dated January 27, 1972, between MINI-MANSIONS PARK, as Contributor, and the FORT WAYNE WATER UTILITY, by and through 2,650± feet of 16 inch water main on Dunkelberg Road from Bluffton Road eastward to a point 2586.6 feet east of centerline of Bluffton Road, for a total cost of \$45,505.00, all as more particularly set forth in said Water Contract No. 7137, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hings, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-12-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-72-02-04

SPECIAL ORDINANCE NO.S- 13-72

AN ORDINANCE approving Chang Order No. 1 with Hipskind Asphalt Corporation in connection with Street Improvement Resolution No. 5601-1971, improving Reed Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with Hipskind Asphalt Corporation, in connection with Street Improvement Resolution No. 5601-1971, to improve Reed Road from the South property line of Lake Avenue to the south pavement edge of State Boulevard, for a total cost of \$690.40, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent one D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-13-72 on the 22nd day of February, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-71-12-25

ZONING MAP ORDINANCE NO. Z- 02-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-19.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. A-19 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A 15± Acre space in the South half of the Southeast quarter of Section 14, Township 31 North Range 12 East of Allen County, Indiana, generally described as being bounded on the South by Interstate Highway 69, bounded on the West by the New York Central Railroad, and bounded on the East by Stony Run Creek, and bounded on the North by an East-West line 1,330 ± lineal feet South of and parallel to the centerline of Ludwig Road, more particularly described as follows:

14.10 Acres of land, more or less, in the South half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, in Allen County, Indiana, described as follows, to wit:

Beginning at a point on the North line of the South half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East in Allen County, Indiana, said point being situated 1263.1 feet West of the Northeast corner of the said South half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, said point being also situated on the Westerly right of way line of Indiana - U.S. Interstate Highway Numbered 69; thence South 60 degrees 48 minutes West 141.4 feet along the said Westerly right of way line of Indiana - U.S. Interstate Highway Numbered 69; thence South 29 degrees 12 minutes East 55.0 feet along the said Westerly right of way line of Indiana - U.S. Interstate Highway Numbered 69; thence South 60 degrees 48 minutes West 100.0 feet along the Northerly right of way line of the said Indiana - U.S. Interstate Highway Numbered 69; thence South 64 degrees 04 minutes West 701.14 feet continuing along the said Northerly right of way line of Indiana - U.S. Interstate Highway Numbered 69; thence South 68 degrees 48 minutes West 578.0 feet continuing along the said Northerly right of way line of Indiana - U.S. Interstate Highway Numbered 69 to the East right of way line of the New York Central Railroad Company; thence North 0 degrees 21 minutes West 766.5 feet along the said East right of way line of the New York Central Railroad Company to the North line of the said South half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East; thence East 441.29 feet along the last described line; thence South 0 degrees 21 minutes East 208.71 feet; thence East 208.71 feet on a line parallel to the North line of the South half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East; thence North 0 degrees 21 minutes West 208.71 feet to the said North line of the South half of the Southeast Quarter of Section 14, Township 31 North, Range East; thence East 682.4 feet along the said last described line to the place of beginning, containing 14.10 acres of land, more or less.

Beginning at a point on the North line of the South half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, in Allen County, Indiana, said point being situated 2154.21 feet West of the Northeast corner of the said South Half of the Southeast quarter of Section 14, Township 31 North, Range 12 East. Thence South 0 degrees 21 minutes, East 208.71 feet; thence East 208.71 feet on a line parallel to the North line of the South Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East; thence North 0 degrees 21 minutes, West 208.71 feet to the said North line of the South Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East; thence West along the said North line of the South Half of the Southeast Quarter of Section 14, Township 31 North, Range 12 East, to the place of beginning, said parcel of ground containing one (1) acre.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico

Nays none

Absent one D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z02-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-71-11-23

ZONING MAP ORDINANCE NO. Z- 03-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C-14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. C-14 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A portion of land located on the northwest corner of Anthony Boulevard and Gardendale Avenue, and more particularly described as follows: Lots No. 19 and 20 in Southdale Park Addition to the City of Fort Wayne, Allen County, Indiana. (recorded in Plat Book 16, page 81)

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight

Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico

Nays none

Absent D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. Z-03-72 on the 22nd day of February, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-71-12-24

ZONING MAP ORDINANCE NO. Z-04-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. E-5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. E-5 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A parcel of land located in Section 6, Township 30 North, Range 30 East, Allen County, being part of land described by Deed Record 567, Pages 583-585; beginning at a point situated 1,419.66 feet West of the Northeast corner

of Section 6, Township 30 North, Range 30 East, along the north line of said Section 6, also commonly known as the centerline of Lake Avenue; thence South 650 lineal feet to a point; thence West 225 feet parallel to said North line of Section 6, to a point; thence Northerly 650 feet to a point situated on the said North Section line of Section 6, commonly known as the centerline of Lake Avenue, to a point situated 226.1 feet West of the point of beginning; thence East along the said centerline of Lake Avenue 226.1 feet to the point of beginning, containing 3.23 Acres, and subject to a 30-foot road right-of-way across the North 30 feet thereof: also subject to service road easements running along the East side thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Kraus seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuchols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent one D. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, Zoning Map Ordinance No. Z-04-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-71-12-26

ZONING MAP ORDINANCE NO. Z Defeated 2-22-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A-8

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of The City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. A-8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #7, except the North 42 feet, and Lot #8, McKinnieville Addition, located on the northwest corner of Calhoun Street and Fleming Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes none
Nays eight
Burns, Hings, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Absent D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Bill No. R-72-02-15

RESOLUTION NO. R- 08-72

RESOLUTION authorizing payment of a claim as a result of injuries to Merlyn Brahier, an employee of the Street Department.

WHEREAS, Merlyn Brahier, Employee of the Street Department, was injured on January 3, 1972 by a car driven by Elmer A. Pliett; and

WHEREAS, settlement in the amount of \$250.64 was paid by Home Mutual Insurance Company to the Controller's Office, which money was received into the General Fund; and

WHEREAS, the following statements have been submitted for payment from this amount:

St. Joseph Radiology , Assn., Inc.	\$12.00
St. Joseph Hospital	31.00
Dr. William E. Brandt	95.00
Street Department M.V.H. Fund	112.64

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay these claims, mentioned above in the amount of \$250.64.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hings, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-08-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972, at the hour ;of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. R-72-02-16

RESOLUTION NO. R- 09-72

RESOLUTION authorizing payment for repairs to the guard rail at 2831 South Clinton Street

Whereas, Maricelle M. Closson, in an accident, damaged the guard rail at 2831 South Clinton Street; and

WHEREAS, settlement in the amount of \$179.86 was paid by the State Farm Mutual Insurance Co. to the Controller's Office, which money was received into the General Fund; and

WHEREAS, D. J. Brandenberger, Inc. has submitted an invoice for \$179.86 for repair.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the claim of D.J.Brandenberger, Inc. in the amount of \$179.86.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent: D. schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of The City of Fort Wayne, Indiana, as Resolution No. R.-09-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. R-72-02-17

RESOLUTION NO. R- 10-72

RESOLUTION authorizing payment for repairs to the guard rail at West Main Street and Lindenwood Avenue.

WHEREAS, a car registered to Edward H. Schmidt & Son, Inc., in an accident damaged the guard rail at West Main Street and Lindenwood Avenue; and

WHEREAS, settlement in the amount of \$314.42 was paid by the Dotts Agency for the American States Insurance Inc. to the Controller's Office, which money was received into General Fund; and

WHEREAS, D. J. Brandenberger, Inc. has submitted an invoice for \$314.42 for said repair.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the claim of D.J. Brandenberger, Inc. in the amount of \$314.42.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent: D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Councilman

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. R-72-02-18

RESOLUTION NO. R- 11-72

RESOLUTION authorizing payment for repairs to
the brick ornamental post at the corner of
Sandpoint Road and Allegany Road.

WHEREAS, Marion E. Bell, in an accident on January 1, 1972 damaged the brick ornamental post at the corner of Sandpoint Road and Allegany Road; and

WHEREAS, settlement in the amount of \$258.22 was paid by Farmers Insurance Group to the Controller's Office, which money was received into the General Fund; and

WHEREAS, D.J. Brandenberger, Inc. has submitted an invoice for \$258.22 for repair..

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

1. That the City Controller is hereby authorized to pay the claim of D.J. Brandenberger, Inc. in the amount of \$258.22.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent: D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-11-72 on the 22nd day of February, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. R-72-02-19

RESOLUTION NO. R- 12-72

RESOLUTION authorizing the temporary advancement of funds from the St. Marys River Impounding Fund, Sewer Relief Fund and the Park Cumulative Building Fund to the Civil City General Fund, Park General Fund, and Police Pension Fund for the period ending June 30, 1972.

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of Civil City General Fund, Park General Fund, and Police Pension Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of the St. Marys River Impounding Fund, Sewer Relief Fund and the Park Cumulative Building Fund of the City of Fort Wayne which can be temporarily advanced or transferred to said Civil City Fund, Park General Fund and Police Pension Fund;

NOW THEREFORE, BE IT RESOLVED, That the Controller of the City of Fort Wayne be and he is hereby authorized and directed to transfer the sum of \$555,000 from the following accounts: \$240,000 from the St. Marys River Impounding Fund, \$200,000 from Sewer Relief Fund, and \$115,000 from the Park Cumulative Building Fund, to the following accounts as follows: to the Civil City General Fund, \$390,000; to the Park Department General Fund, \$115,000; and to the Police Pension Fund, \$50,000, which said sum of \$555,000 shall be returned and repaid to the respective funds on or before June 30, 1972.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Steir, Talarico
Nays none
Absent: D. Schmidt

Date: 2-22-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-12-72 on the 22nd day of February, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of February, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of February, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebsmoff
Mayor

BILL NO. R. R-72-02-14

RESOLUTION NO. R-13-72

A RESOLUTION concerning the construction of a Regional Correctional Center

WHEREAS, there is a need for a new jail in the County of Allen; and

WHEREAS, the cost of constructing such a jail would cast a heavy burden upon the taxpayers of the County of Allen; and

WHEREAS, many authorities in the field of penology are of the view that county jails are

outmoded and that regional correctional centers are better suited for contemporay conditions;
and

WHEREAS; the State of Indiana has declared its intention to construct a Regional Correctional Center in the County of Allen utilizing Federal Funds in so doing; and

WHEREAS, the County of Allen has been assured that the above mentioned Correctional Center will hold County prisoners if the County of Allen so desires; then

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council of the City of Fort Wayne request the Board of Directors of the Indiana State Criminal Justice Planning Agency Region II, to petition the Governor of the State of Indiana and his Commissioner of the Department of Corrections to:

- a) Undertake the construction of a Regional Correctional Center in Region II at the earliest possible date and
- b) Include in the facility a Holding Center for prisoners of Allen County and any other County of Region II who request such service.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven
Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico, Moses
Nays one
Burns
Abstained one
D. Schmidt

Date: 3-14-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-13-72 on the 14th day of March, 1972.

ATTEST: (SEAL)

CHARLES W. WESTERMAN
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of March, 1972, at the hour of 4:02 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-04

RESOLUTION NO. R-14-72

A RESOLUTION authorizing filing of application with the Department of Housing and Urban Development, United States of America for a grant under Public Law 89-117.

WHEREAS, pursuant to Public Law 89-117 the United States of America has authorized the making of grants to public bodies to aid in financing the construction of basic water and sewer projects.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That Jerry D. Boswell, Chairman of the Board of Public Works, be and he is hereby authorized to execute and file an application on behalf of the City of Fort Wayne, Indiana, with the Department of Housing and Urban Development, United States Government, for a grant to aid in the financing of "The Harvester Drain Stom Relief System-Grant Number WS-IND-105-36-1001", and an assurance of compliance with the Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964.

2. That Jerry D. Boswell, Chairman of the Board of Public Works, be and he is hereby authorized and directed to furnish such information as the Department of Housing and Urban Development may reasonably request in connection with the application which is herein authorized to be filed.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays none

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, Resolution No. R-14-72 on the 14th day of March, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of March, 1972, at the hour of 4:03 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-07

RESOLUTION NO. R-15-72

RESOLUTION authorizing transfer of funds within the 1972 Budget of the City Controller.

WHEREAS, the \$10,000 appropriated in the name of Convention Bureau was established for Three Rivers Festival expenditures; and

WHEREAS, the term Convention Bureau is misleading-----not identifying the proper classification for this expenditure, and should be classified as "Public Relations."

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. The City Controller is hereby authorized to transfer the sum of \$10,000 from the Budget Account No. 2-2-261 Convention Bureau to Account No. 2-2-213H Travel Expense (City Council).

2. Said account (2-2-213H) shall be termed Travel Expense and Public Relation-City Council.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

Ayes nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays none

March 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana Resolution No. R-15-72 on the 14th day of March, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of March, 1972, at the hour of 4:04 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-08

RESOLUTION NO. R-16-72

RESOLUTION authorizing the temporary advancement of funds from the Sewer Relief Fund, Cumulative Capital Improvement Fund, Inner City Storm Relief Plan Fund, Local Road and Street Account Fund, Park Cumulative Fund, Park Trust Fund, Sanitary Officer's Pension Fund, and Flood Prevention and River Improvement fund (funds) to the Civil City General Fund, Park General Fund, Police Pension Fund, and Fire Pension Fund (funds) for the period ending December 31, 1972.

WHEREAS, it has become necessary to borrow money to enhance the depleted fund(s) of Civil City General Fund, Park General Fund, Police Pension Fund, and Fire Pension Fund of the City of Fort Wayne, and

WHEREAS: there is sufficient money on deposit to the credit of Sewer Relief Fund, Cumulative Capital Improvement Fund, Inner City Storm Relief Plan Fund, Local Road and Street Account Fund, Park Cumulative Fund, Park Trust Fund, Sanitary Officer's Pension Fund, and Flood Prevention and River Improvement Fund (s) of the City of Fort Wayne which can be temporarily advance or transferred to said Civil City General Fund, Park General Fund, Police Pension Fund, and Fire Pension Fund.

NOW THEREFORE BE IT RESOLVED, that the Controller of the City of Fort Wayne be and is hereby authorized and directed to transfer the sum of \$1,320,000 from the following accounts: \$210,000 from the Sewer Relief Fund, \$110,000 from the Cumulative Capital Improvement Fund, \$590,000 from the Inner City Storm Relief Plan Fund, \$150,000 from the Local Road and Street Account Fund, \$100,000 from Park Cumulative Fund, \$80,000 from Park Trust Fund, \$30,000 from Sanitary Officer's Pension Fund, and \$50,000 from Flood Prevention and River Improvement Fund (s) to the following accounts as follows:

To the Civil General Fund, \$1,050,000; to the Park General Fund, \$150,000; to the Police Pension Fund, \$70,000; and to the Fire Pension Fund, \$50,000 which said sum (s) shall be returned and repaid to the respective funds on or before December 31, 1972.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote;

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays none

March 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana Resolution No. R-16-72 on the 14th day of March, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1972, at the hor of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of March, 1972, at the hour of 4:05 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-71-10-09

ZONING MAP ORDINANCE NO. Z-05-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A-19.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. A-19 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A part of the South one-half (1/2) of the Southeast quarter (1/4) of Section Fourteen (14), Township Thirty-one (31) North, Range Twelve (12) East, in Allen County, Indiana, being more particularly described as follows: Beginning at a point on the South line of the said half quarter section, a distance of 440 feet south 83° 20' 44" West of the Southeast corner thereof (said point also being on the center line of Washington Center Road, as now located and established;) running thence South 88° 20' 40" West upon and along the said south line and the center line of said road a distance of 775.726 feet to a point. Thence North to the South right-of-way line of Interstate Highway I-69; thence East along the Southerly right-of-way line of Interstate Highway I-69 to a point directly North of the place of beginning; thence South 1143.8 feet to the place of beginning, containing 16 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays None

March 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, Zoning map No. Z-05-72 on the 14th day March, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of March, 1972, at the hour of 4:01 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-71-11-07

ZONING MAP ORDINANCE NO. Z- LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map N. C-12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1-B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2136 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. C-12 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 26,27,28 and 29 in Sylvan Addition A,
Section 25, Township 30, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Herbert G. Tipton
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, place on its passage (LOST) by the following vote:

Ayes None
Nays Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

March 14, 1972

Charles W. Westerman
City Clerk

BILL NO G-72-02-08

GENERAL ORDINANCE NO. G-04-72

AN ORDINANCE pertaining to the construction of
establishments for the sale of gasoline and/or
diesel fuel.

WHEREAS, many establishments have been built in the City of Fort Wayne where gasoline and/or fuels, among other products, are sold to motorists and where gasoline and/or diesel fuel is transferred from pumps into the fuel tanks of cars, trucks and/or other vehicles; and

WHEREAS, the owners of many such establishments have abandoned them in the sense that the owners have discontinued their use for the purpose of selling gasoline and/or diesel fuel to motorists or for any other purpose; and

WHEREAS, there are such establishment, abandoned in the sense aforesaid, in every councilmanic district in the City of Fort Wayne; and

WHEREAS, the proximity of such establishments, abandoned in the sense aforesaid, is detrimental to property values; and

WHEREAS, there are in operation in the City of Fort Wayne a great number of establishments where gasoline and/or diesel fuel are sold to motorists and where gasoline and/or diesel fuel is transferred from pumps into the fuel tanks of cars, trucks and/or other vehicles.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That for six months from and after the effective date of this Ordinance no building permits will be issued for the construction of establishments where gasoline and/or diesel fuel are sold to motorists and where gasoline and/or diesel fuel is transferred from pumps into the fuel tanks of cars, trucks and/or other vehicles.

SECTION 2. The Board of Works of the City of Fort Wayne and the City Plan Commission of the City of Fort Wayne shall prepare a study of the conditions and criteria which shall govern the issuance of building permits for the construction from and after the expiration of the ban on the issuance of such permits provided in Section 1 of this Ordinance. In making such study the Board of Public Works shall determine those conditions and criteria which would tend to encourage the utilization of sites where such establishments have been constructed and abandoned in the sense that the owners have discontinued their use for the purpose of selling gasoline and/or diesel fuel to motorists or for any other purpose.

SECTION 3. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Kraus and duly adopted, placed on its passage. PASSED by the following vote:

Ayes Seven
Burns, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays Two
Hinga, D. Schmidt

March 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council fo the City of Fort Wayne, Indiana, General No. -04-72 on the 22nd day of February, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of March, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of March, 1972, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-03-02

SPECIAL ORDINANCE NO. S-14-72.

AN ORDINANCE approving a certain bid document with Thomas Custom Tailors for Communications Uniforms

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Fef. No. 436, dated March 7, 1972 between the City of Fort Wayne, by and through its Mayor and Communications Department, and THOMAS CUSTOM TAILORS, for:

Estimated annual requirements of Communications
Uniforms. Contract ending March 31, 1973

as more specifically set forth in said bid document Ref. 436 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, Schidt, D., V. Schmidt, Stier, Talarico
Nays None

March 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-14-72 on the 28th day of March, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-17

RESOLUTION NO. R-17-72

RESOLUTION authorizing payment for repairs
to City-owned vehicle.

WHEREAS, Police patrol car #9 was damaged in an automobile accident January 19, 1972 at the intersection of U.S. 27 and Old Decatur Road; and

WHEREAS, settlement in the amount of \$164.57 was paid by American States Insurance Co., to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelly Buick, Inc. has submitted an estimate in the amount of \$164.57, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$164.57 to Jim Kelly Buick, Inc. for repairs to Police patrol car #9.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. PASSED by the following vote:

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmith, V. Schmidt, Stier, Talarico
Nays None

Date: March 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-17-72 on the 28th day of March, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-18

RESOLUTION NO. R-18-72

RESOLUTION authorizing payment for
repairs to City-owned vehicle.

WHEREAS, Police patrol car #10 was damaged in an act of vandalism at the Memorial Coliseum February 9, 1972; and

WHEREAS, settlement in the amount of \$40.00 was paid by Rodney Hull, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Ren-Ard Engineering has submitted an estimate in the amount of \$40.00, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$40.00 to Ren-Ard Engineering for repairs to Police patrol car #10.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: March 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-18-72 on the 28th day of March, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March 1972, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-19

RESOLUTION NO. R-19-72

RESOLUTION authorizing payment for repairs
to City-owned vehicle.

WHEREAS, Squad Car #50 was damaged in an accident on January 9, 1972 in the block of 4100 South Clinton Street; and

WHEREAS, settlement in the amount of \$81.37 was paid by the Home Insurance Indemity Company, to the City Controller's Office, which money was recipted into the General Fund; and

WHEREAS, Jim Kelly Buick, Inc. has submitted an estimate in the amount of \$81.37, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$81.37 to Jim Kelly Buick, Inc. for repairs to Squad Car #50.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: March 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-10-72 on the 28th day of March, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March 1972, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-03-16

RESOLUTION NO. R-20-72

RESOLUTION concering the abandonment of
the Fort Wayne Board of Public Health and
its integration into the Fort Wayne-Allen
County Health Department

WHEREAS, the General Assembly of Indiana has enacted an acet indentified as I.C. 1971, 16-1-7, which act related to full time local health departments; and

WHEREAS, the General Asseblly of Indiana at its 1972 session amended sections 16 and 17 of said I.C. 1971, 16-1-7; and

WHEREAS, the City of Fort Wayne and the County of Allen has each been maintaining its own health department; and

WHEREAS, said amendment makes it mandatory that the City of Fort Wayne and the County of Allen abandon their respective health departments and integrate the same in a city-county fulltime health department; and

WHEREAS, said abandonment and integration is to be accomplished by resolution of the Board of Commissioners of the County of Allen and by reolution of the Common Council of the City of Fort Wayne; and

WHEREAS, said abandonment and integration is to become effective at the end of the

fiscal year of the County in which said resolution is passed.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the City of Fort Wayne abandon its health department as of January 1, 1973 and integrate the same with the Fort Wayne Allen County Health Department as of January 1, 1973.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays

Date: March 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-20-72 on the 28th day of March, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-03-11

SPECIAL ORDINANCE NO. S-15-72

AN ORDINANCE approving a certain bid document with Van Ausdall & Farrar, Inc. for Magnetic Card Selectric Typewriter

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 443 dated March 23, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Mayor's Office and VAN AUSDALL & FARRAR, INC., for:

1 - Magnetic Card Selectric Typewriter
with Carbon/Film Ribbon

as more specifically set forth in said bid document Ref. No. 443 and Purchase Order No. 3-05005, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-15-72 on the 11th day of April, 1972.

ATTEST

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wyne, Indian, on the 12th day of April 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-03-12

SPECIAL ORDINANCE NO. S- 16-72

AN ORDINANCE approving a contract with HARLEY-GRAHAM, INC. for one Steel Building for Lakeside Substation.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved March 24, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and HARLEY-GRAHAM, INC., for:

One (1) Metal building to be erected on Lakeside Substation site southeast of Lakeside Junior High School

for the total cost of \$6,500.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 5367, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-16-72 on the 11th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana (as Special Ordinance No. S-16-72) on the 12th day of April, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-03-13

SPECIAL ORDINANCE NO. S-18-72

AN ORDINANCE approving a certain bid document with Gladieux Refinery, Inc. for estimated annual requirements of waste oil for alley treatment.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. R-36 Informal dated March 10, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Street Department, and GLADIEUX REFINERY, INC., for:

Estimated annual requirement of waste oil for alley treatment, applied, as required. Total price per gallon: \$.0794

as more specifically set forth in said bid document Ref. R-36 Informal and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-18-72 on the 11th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-03-14

SPECIAL ORDINANCE NO. S-17-72

AN ORDINANCE approving Change Order No. 1 with Scheele Construction, Inc. in connection with Sanitary Sewer Improvement Resolution No. 885-1971 in the area of Orchard Lane and Waynedale Boulevard.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with Scheele Construction, Inc., in connection with Sanitary Sewer Improvement Resolution No. 855-1971, to obtain the addition of a manhole to get the proposed sanitary line out from under a traffic lane of Orchard Lane, for a net increase in the contract of \$552.25, is hereby in all things ratified, confirmed and approved.

BILL NO. S-72-02-20

SPECIAL ORDINANCE NO. S-19-72

WHEREAS, there are areas in the City of Fort Wayne and in the County of Allen in which there are insufficient employment opportunities, in which there is insufficient diversification of industry or in which there is insufficient abatement or control of pollution by industry or utilities; and

WHEREAS, such conditions are harmful to the prosperity, economic stability and general welfare of the City of Fort Wayne and the County of Allen; and

WHEREAS, if such conditions are not remedied, and if diligence is not exercised to prevent the recurrence of such conditions in the future, such conditions will be detrimental to the economic development of such areas and to the economic development of the City of Fort Wayne and the County of Allen as corporate entities; and

WHEREAS, such conditions may be overcome, in whole or in part, by the acquisition by the City of Fort Wayne of facilities for manufacturing, storage or processing of goods, by the acquisition of facilities for the elimination or reduction of pollution caused by the manufacturing, storage or processing of goods, or by a public utility as defined in I. C. 1971, 8-1-2-1, or by the acquisition of facilities for the carrying on of commercial, business, health care or recreational activities; and

WHEREAS, the General Assembly of Indiana has enacted an act identified as Acts 1972, chapter , p. , which amends I. C. 1971, 18-6-4; and

WHEREAS, I. C. 1971, 18-6-4 as so amended, authorizes cities to engage in the acquisition of such facilities and the leasing of such facilities to others in order to overcome the conditions hereinabove set forth; all as more specifically described in I. C. 1971, 18-6-4 as so amended;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Pursuant to I. C. 1971, 18-6-4 and all acts amendatory thereof and supplemental thereto, there is hereby created a department of the City of Fort Wayne. Said department shall be under the control of a board of five members to be known as "Fort Wayne Economic Development Commission."

SECTION 2. The Mayor of the City of Fort Wayne is hereby authorized to appoint a board of five members to be known as "Fort Wayne Economic Development Commissioner."

SECTION 3. The nomination and appointment of the Fort Wayne Economic Development Commissioners, the organization of the Fort Wayne Economic Development Commission, the scope of the powers to be exercised by said Commission, the manner in which such powers are to be exercised and all of the other functions of the Fort Wayne Economic Development Commission shall be as set forth in I. C. 1971, 18-6-4 and all acts amendatory and supplemental thereto, as well as any other applicable laws of the State of Indiana.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight

Ayes: Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico

Nays: One

D. Schmidt

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-19-72 on the 11th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

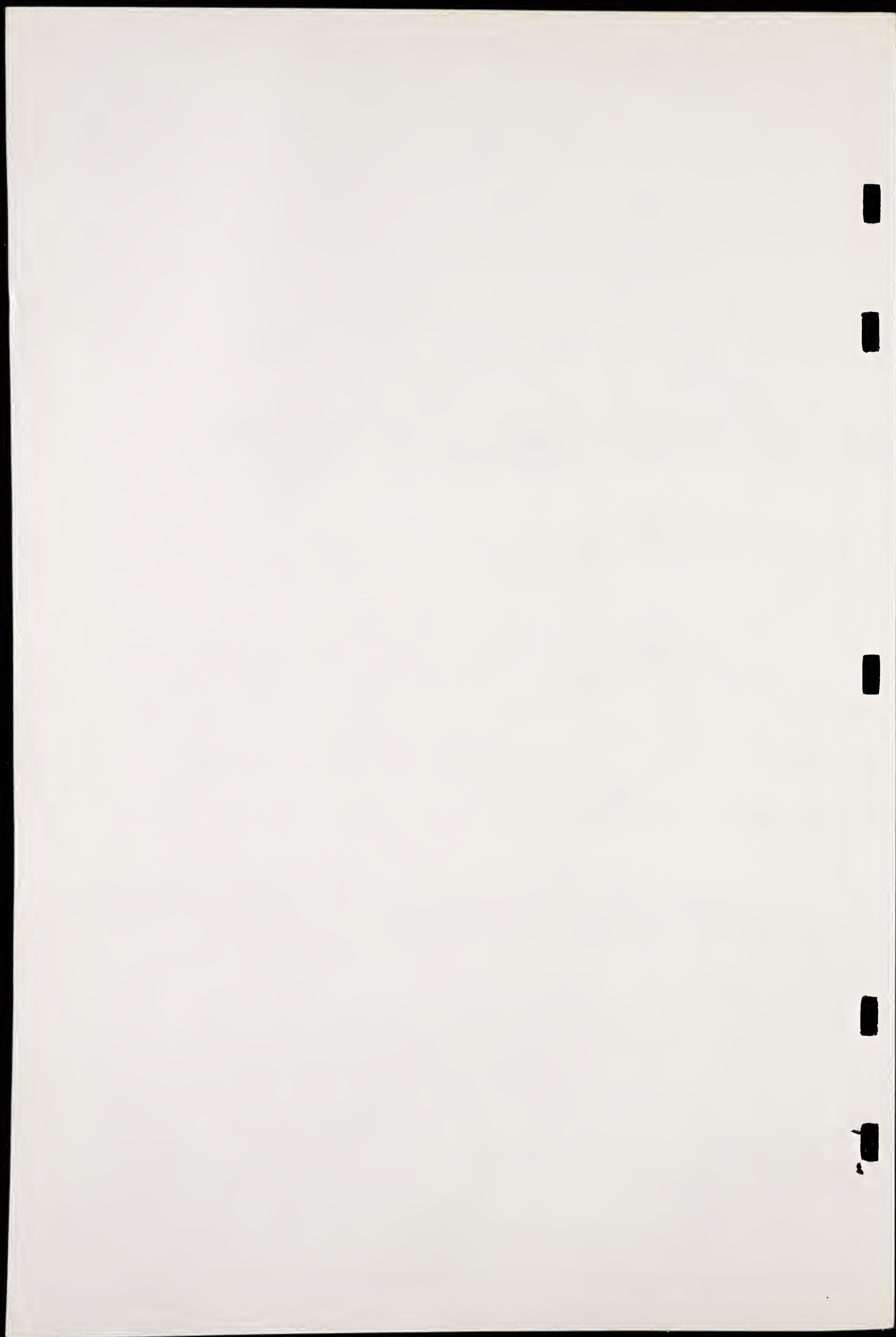
John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of April, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor



SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted placed on its passage. PASSED by the following vote;

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council fo the City of Fort Wayne, Indiana as Special Ordinance No. S-17-72 on the 11th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-03=10

GENERAL ORDINANCE NO. G-05-72

AN ORDINANCE amending Chapter 1, Section 9 of the Municipal Code establishing colors of the City Seal.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Section 9 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, be and the same is hereby amended to be and read as follows:

The Seal which has been established and declared to be the seal of the city, being a representation of Mercury's Wand, entwined with two serpents on the right, a sword on the left, a pair of scales on the top, with the word "Ke-ki-on-ga," with the inscription "City of Fort Wayne, Indiana," around the outer edge of the seal, shall be colored, the inside circle being white, the outside circle being blue and the remainder gold.

SECTION 2. A photograph of said seal is annexed to the original of the ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus sedonded by Hinga and duly adopted placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-05-72 on the 11th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-03-09

GENERAL ORDINANCE NO. G-06-72

AN ORDINANCE amending certain Schedules of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Schedules and Sections of Chapter 31 of the Municipal Code of The City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same are hereby amended as follows:

Schedule 1A, Section 21(b) as referred to "authorization of Traffic Signals" by adding thereto the following:

TRAFFIC SIGNAL (INSTALLATION PENDING COUNCIL APPROVAL)

Beacon St. and State St.
Hobson Rd. and Lake Ave.

Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones", by adding thereto the following:

SPEED LIMIT 35 MPH

Fairfield Ave. -- from Pettit Ave. to Tillman Rd.

Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones", by deleting therefrom the following:

SPEED LIMIT 40 MPH

Fairfield Ave. -- from Pettit Ave. to Tillman Rd.

Schedule 3, Section 170 "One-Way Streets and Alleys", by adding thereto to sub-paragraph (b) "Alleys" thereof the following:

ONE WAY ALLEY

The first alley north of Parkview Ave. -- eastbound -- and thence southbound from Lindley Ave. to 245 feet east thereof.

Schedule 4, Section 171 "Through Streets", by adding thereto the following:

THROUGH STREET

Tillman Rd. -- through street -- from Fairfield Ave. to East City Limits except at Fairfield Ave., Calhoun St., Gary St., U.S. 27 and Anthony Blvd.

Schedule 5, Section 172 "Intersections Where Stop Required", by adding thereto the following:

STOP INTERSECTION

Barr St.	STOP	at Murray St.
Barr St.	STOP	at Wallace St.
Huestis Ave.	STOP	at Miner St.
Pearl St.	STOP	at Fulton St.
Harvester Ave.	STOP	at Edsall Ave.
McCormick Ave.	STOP	at Edsall Ave.
Koons St.	STOP	at Elzey Ave.
Ardmore Ave.	STOP	at North Washington Rd.
Winch St.	STOP	at Wabash Ave.

Schedule 7, Section 174 "Parking Prohibited at all Times on Certain Streets", by adding thereto the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Rudisill Blvd.	south	Anthony Blvd.	Euclid Ave.
Packard Ave.	north	Fairfield Ave.	245 Ft. W/thereof
California Rd.	both	Coliseum Blvd.	1000 ft. N/thereof
Anthony Blvd.	east	Rudisill Blvd.	170 ft. N/thereof
Lawton Park Rd.	south	Spy Run Creek Rd.	300 ft. W/thereof
Hazelwood Ave.	north	300 ft. E./Crescent Ave.	Oak Grove Ave.

Schedule 8, Section 175 "Parking Prohibited During Certain Hours on Certain Streets", be deleting therefrom the following:

NO PARKING 8:00AM - 9:00AM and 3:00PM - 4:00PM

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Hale Ave.	south	Reidmiller Ave.	St. Marys River

Schedule 10, Section 177 (a) "Parking Time Limited On Certain Streets", 1-Hour Parking 8AM to 6PM by deleting therefrom the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Market Place	west	Washington Blvd.	alley N/Wayne St.

Schedule 11, Section 177 (b) "Parking Time Limited On Certain Streets", 90-minute Parking 8AM to 6PM by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Forest Ave.	south	Kensington Blvd.	Pemberton Dr.

Schedule 12, Section 177 (c) "Parking Time Limited On Certain Streets", 2-Hour Parking 8AM to 6PM by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Market Place	west	Washington Blvd.	alley N/Wayne St. 1

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-06-72 on the 11th day of April, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April 1972, at the hour of 10:30 o'clock
A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-03-03

GENERAL ORDINANCE NO. G-07-72

AN ORDINANCE concerning increases in the electric rates and charges for electric energy furnished for public, domestic, commercial and industrial purposes by the Fort Wayne City Light and Power Works to customers and patrons in the City of Fort Wayne, Indiana and in areas contiguous to said City.

WHEREAS, the City of Fort Wayne, Indiana has heretofore established and now owns and operates a municipal electric utility which municipal electric utility supplies said City, the inhabitants thereof and patrons in areas contiguous to the boundaries of said City with electric energy which is used for public, domestic, commercial and industrial purposes; and

WHEREAS, the Board of Public Works of said City operates and manages said municipal electric utility; and

WHEREAS, said Board of Public Works has found, and has represented to the Common Council of said City, that the existing rates and charges for services furnished by the said municipal electric utility in accordance with the provisions of IC 1971 8-2-96 (Burns' Ind. Stats. Ann § 54-609 as last amended); and

WHEREAS, said Board of Public Works has further found and has represented to the Common Council of said City that the revenues of said municipal electric utility for the year ended December 31, 1971, were not sufficient to pay all the necessary expenses incident to the operation of said municipal electric utility, including maintenance costs, operating charges and repairs, and that said revenues were insufficient to provide adequate funds for working capital and for making extensions and replacements; and

WHEREAS, said Common Council finds that said representations are true and said Common Council further finds that said revenues were insufficient to provide for the payment of all taxes assessed against said municipal electric utility, including payments to said City in lieu of taxes and were insufficient to provide a reasonable profit on the investment of said City in said municipal electric utility and to maintain the utility property and business in a sound physical and financial condition; and

WHEREAS, said Board of Public Works has represented to said Common Council and said Common Council now finds that the schedule of rates and charges attached hereto, made a part of this Ordinance and identified as Exhibit A will provide sufficient revenues to meet all the financial requirements of the municipally-owned and operated electric utility in accordance with the provisions of Section 54-609 Burns' Statutes, 1951 Replacement and are, therefore reasonable, just and lawful; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. Said schedule of rates and charges identified as Exhibit A be charged by the municipal electric utility owned and operated by the City of Fort Wayne in said City and in the areas contiguous to the boundaries of said City, subject to approval of said Public Service Commission of Indiana, and to take effect as and when ordered by said Public Service Commission of Indiana.

SECTION 2. Said Board of Public Works is authorized to file all the necessary petitions and make all the showings required to said Public Service Commission of Indiana in a public hearing for the purpose of seeking approval of said Public Service Commission of Indiana of said schedule of rates and charges.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One

Date: April 11, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-07-72 on the 11th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of April, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of April 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-01-07

GENERAL ORDINANCE NO. G-DEFEATED

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain public street and alley in the Third Street area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street and alley by DELAGRANGE HOMES, INC. and JOHN F. HEINKELL and DIANE HEINKELL, husband and wife, having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on December 20, 1971 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The alley running is a northerly direction from the North edge of Third Street to the South edge of the alley running East and West between Third and Fourth Streets, said alley being bounded on the West by Lot No. 22 in K. J. Bauers Subdivision of Rockhill Heirs Outlot No. 8, an addition to the City of Fort Wayne, Indiana and bounded on the East by Lot No. 25 of Schilling Heirs Addition to the City of Fort Wayne

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus and seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
Kraus
Nays: Eight
Burns, Hinga, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 4-11-72

Charles W. Westerman
City Clerk

BILL NO. S-72-04-02

SPECIAL ORDINANCE NO. S-22-72

AN ORDINANCE approving a certain bid document with GARDEN & TRUF SUPPLY CORPORATION for Organic Fertilizer and Homogeneous Pellet.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A. certain bid document Ref. No. 435 dated April 4, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and GARDEN & TRUF SUPPLY CORPORATION, for:

Item 1 - 50 Tons or Less Organic Fertilizer \$66.00 per Ton
Item 2 - 50 Tons of Less Homogeneous Pellet \$95.00 per Ton

as mor specifically set forth in ssid bid document Ref. 435 and Purchase Order as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-22-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-03

SPECIAL ORDINANCE NO. S-23-72

A SPECIAL ORDINANCE eleminating a certain position under the direction of the City Plan Commission, creating a new position under the jurisdiction of said Commission and amending Special Ordinance No. S-713-71 so as to reflect the aforesid changes.

WHEREAS, the Salary Ordinance of the City of Fort Wayne, No. S-713-71, provides for certain positions under the jurisdiction of the City Plan Commission, among them the position of Assistant Director at a salary of \$12,207.00 per year; and

WHEREAS, monies have been appropriated to pay said salary; and

WHEREAS, said position has not been filled; and

WHEREAS, the City Plan Commission has determined that it is to the best interests of said Commission and of the City of Fort Wayne that said position be abolished and that a new position be created under the jurisdiction of said Commission, which position shall be known as Administrative Assistant,

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The position of Assistant Director under the jurisdiction of the City Plan Commission is hereby abolished.

SECTION 2. There is hereby created the position of Administrative Assistant under the jurisdiction of the City Plan Commission.

SECTION 3. The salary of the position of Administrative Assistant shall be \$11,000.00 per year, payable bi-weekly in installments.

SECTION 4. Said salary shall be paid from the monies heretofore appropriated to pay the salary for the aforesaid position of Assistant Director..

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-23-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-04-14

RESOLUTION NO. R-22-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, Squad Car # 61 was damaged in an automobile accident December 26, 1971, at the intersection of Wells and Third Streets; and

WHEREAS, settlement in the amount of \$92.15 was paid by Farmers Insurance Group, to the City Controller's Office, which money was receipted into the General Fund under Quietas #3963; and

WHEREAS, Jim Kelly Buick, Inc. has submitted an estimate in the amount of \$92.15, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$164.57 to Jim Kelly Buick, Inc. for repairs to Squad Car #61.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Khmidt, Stier, Talarico
Nays: None

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-22-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

III

BILL NO. A-72-03-20

APPROPRIATION ORDINANCE NO. A-01-72

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of The Cumulative Capital Improvement Fund and the General Fund of the 1972 Budget of the City of Fort Wayne.

WHEREAS, the City of Fort Wayne has under construction a new Fire Station Number 1 for which there are no monies appropriated for furnishings and equipment; and

WHEREAS, there are sufficient funds in the unexpended and unappropriated balance of The Cumulative Capital Improvement Fund and The General Fund of the 1972 Budget of the City of Fort Wayne.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby appropriated out of the unexpended and unappropriated balance of The Cumulative Capital Improvement Fund the sum of \$9,450.00 to the following accounts:

Account No. 8-3-34 - Landscaping & Greenhouse Supplies	\$8,500.00
Account No. 8 -4-44 - Materials, General	950.00

SECTION 2. That there is hereby appropriated out of the unexpended and unappropriated balance of The General Fund the sum of \$14,051.45 to the following accounts:

Account No. 8-7-721 - Furniture & Fixtures	\$13,751.45
Account No. 8-7-726 - Other Equipment	300.00

SECTION 3. That the unexpended and unappropriated balance of The Cumulative Capital Improvement Fund of the 1972 Budget of The City of Fort Wayne is hereby reduced in the amount of \$9,450.00.

SECTION 4. That the unexpended and unappropriated balance of The General Fund of the 1972 Budget of The City of Fort Wayne is hereby reduced in the amount of \$14,051.45.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Appropriation Ordinance No. A-01-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-04-17

RESOLUTION NO. R-21-72

RESOLUTION of the Common Council
approving Grant Agreement with the
Federal Government.

THIS RESOLUTION WITNESSETH: That

WHEREAS, the City of Fort Wayne, Indiana, by its Board of Public Works, organized and existing under and by virtue of the laws of the State of Indiana (herein called the "Applicant"), has heretofore submitted an application to the United States of America, acting by and through the Secretary of Housing and Urban Development (herein called the "Government"), for a grant under Section 702 of the Housing and Urban Development Act of 1965, for the purposes designated in the said application; and

WHEREAS, the Government has approved the said application subject to certain conditions, and has submitted to the Applicant a certain Grant Agreement dated as of April 10, 1972, (herein called the "Grant Agreement"), for approval and execution by the Applicant, which said Grant Agreement is satisfactory.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That said Grant Agreement, approved by Resolution of the Board of Public Works, dated April 10, 1972, as recorded in Minute Record 58-104-11 copies of which Agreement and Resolution are attached hereto, be and the same is hereby approved. Dr. Jerry D. Boswell, Chairman of the Board of Public Works, is hereby authorized and directed to execute this said Grant Agreement in the name and on behalf of the Applicant, in as many counterparts as necessary, and the Secretary of the Board of Public Works is hereby authorized and directed to affix or impress the official seal of the Applicant thereon and to attest the same. The proper officer is directed to forward the said executed counterparts of the said Grant Agreement to the Government, together with such other documents evidencing the approval and authorization to execute the same as may be required by the Government.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talrico
Nays: None

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-21-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-07

SPECIAL ORDINANCE S-27-72

AN ORDINANCE approving a certain bid document with L.I. GRIFFIN & SONS, INC. for demolition of Day Camp Building, Franke Park.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 445 dated April 3, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and L. I. GRIFFIN & SONS, INC. for:

Demolition of Day Camp Building in Franke Park as more specifically set forth in said bid document Ref. No. 445 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus
Councilman

Read the third time if full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

April 25, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-27-72 on the 25th day of April, 1972.

Charles W. Westerman
City Clerk

John Nuckols
Councilman

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-08

SPECIAL ORDINANCE NO. S-28-72

AN ORDINANCE approving a certain bid document with POINSATTE MOTORS INC. for 3 Four Door Sedans and 11 Four Door Sedans.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document REF. No. 442 dated April 3, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Police Department and POINSATTEE MOTORS, INC., for:

- Item 1 - Three (3) Four Door Sedans, Police Package
- Item 2 - Eleven (11) Four Door Sedans, Police Package

as more specifically set forth in said bid document Ref. No. 442 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-28-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-09

SPECIAL ORDINANCE NO. S-29-72

AN ORDINANCE approving a certain bid document with MINNESOTA, MINING & MANUFACTURING COMPANY for Reflective Sheeting, Sign Faces, Etc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 439 dated April 3, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Traffic Engineering Department and MINNESOTA, MINING & MANUFACTURING COMPANY, for:

Reflective Sheeting, Sign Faces, Etc.

as more specifically set forth in said bid document Ref. No. 439 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-29-72 on the 25th day of April, 1972

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S -72-04-10

SPECIAL ORDINANCE NO. S-30-72

AN ORDINANCE approving a certain bid document with Hall Signs, Inc., for aluminum sign blanks.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 437 dated April 3, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Traffic Engineering Department and HALL SIGNS, INC., for:

Aluminum Sign Blanks

as more specifically set forth in said bid document Ref. No. 437 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-30-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 1:00 o'clock P.M.,
E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S -72-04-11

SPECIAL ORDINANCE NO. S-31-72

AN ORDINANCE approving a certain bid document
with Associated Sign & Post, Inc. for Traffic
Sign Posts.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 438 dated March 24, 1972 between the City
of Fort Wayne, by and through its Mayor and the Board of Public Safety, Traffic Engineering
Department and ASSOCIATED SIGN & POST INC., for

Traffic Sign Posts.
Awarded to Associated Sign & Post, Inc., because
of lowest terms $\frac{1}{2}$ of 1% Cash discount if paid
within 30 days.

as more specifically set forth in said bid document Ref. No. 438 and Purchase Order No. as
required, which are on file in the office of the Department of Purchasing, and are by re=
ference incorporated herein and made a part hereof, is hereby in all things ratified, con-
firmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage
and approval by the Mayor.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted,
placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special
Ordinance No. S-31-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of
April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock
P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-01-04

ZONING MAP ORDINANCE NO. Z-07-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA 3 .

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under
the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as
amended by General Ordinance No. 2836 and amendments thereof; and the symbols on the City
of Fort Wayne Zoning Map No. AA 3 referred to therein, established by Section 9, Article

III of said Chapter as amended, are hereby changed accordingly, to-wit:

The East One-Half of Lot Number 16 and the West One-Half of Lot Number 17 (with Deed dated July 23, 1971, and recorded in the Allen County Recorder's Office on July 26, 1971, as Instrument Number 71-13112), and the East One-Half of Lot Number 17 (with Deed dated June 28, 1968, and recorded in the Allen County Recorder's Office on July 1, 1968, as Deed Record 708, Page 599), all of which are in H. B. Reed's Addition to the City of Fort Wayne, Allen County, Indiana.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-07-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-02-07

ZONING MAP ORDINANCE NO. Z-06-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments therof; and the symbols of the City of Fort Wayne Zoning Map No. D-2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered forty-eight (48) through forty-five (45) inclusive and the North 17 feet of Lot Numbered forty-four (44) in Samuel W. Stoop's Addition to the City of Fort Wayne, and Lots Numbered 1, 2 and 3 in Wilding's First Addition to the City of Fort Wayne, all according to the recorded plat thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-06-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-01-03

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. CC 8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols on the City of Fort Wayne Zoning Map No. CC 8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A portion of land approximately 400' x 700'± located in the southwest corner of the intersection of Fairfield Ditch and Bluffton Road, more particularly described as follows:

Part of Lot 1 and Part of Lot 8 of Archange Godfrey's Subdivision of Richardville Reserve situated on the West side of the St. Mary's River in Township 30 North, Range 12 East, in Allen County, Indiana, as recorded in Deed Record 52, Pages 54-55, in the Office of the Recorder of said County; Reference: Deed recording Book #481, Page 219 and 220.

and more particularly described as follows:

Commencing at a point on the Northwestern low water line of Fairfield Ditch and the West Right-of-Way line of Bluffton Road 700'; thence Southerly along the West Right-of-Way of Bluffton Road to a point; thence 90 degrees West, 400' to a point; thence 90 degrees Northerly and parallel to Bluffton Road and to a point located on the Northwestern low water line of Fairfield Ditch; thence Easterly along the Northwestern low water line of Fairfield Ditch to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

LOST by the following vote:

Ayes: None

Nays: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-71-10-04

SPECIAL ORDINANCE NO. S-21-72

AN ORDINANCE approving contract with JOHN DEHNER, INC. for repairs to Hurshtown Reservoir, Contract No. 71-W-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved October 8, 1971, between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and JOHN DEHNER, INC., for:

Contract 71-W-1, Hurshtown Reservoir
Repair,

for a total cost of \$135,266.47, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Jack Dunifon
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-21-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-71-05-26

SPECIAL ORDINANCE NO. S-20-72

AN ORDINANCE approving Board of Works Emergency Resolution and authorizing repairs and restoration of the Hurshtown Reservoir.

WHEREAS, the Hurshtown raw water storage Reservoir has developed a leak, thereby threatening the surrounding area, life and property and vitally affecting the water supply of the City of Fort Wayne and environs, and creating an emergency situation; and

WHEREAS, the Board of Public Works of the City of Fort Wayne has adopted Emergency Resolution 57-49-17, ordering all necessary work to be done to repair and restore the reservoir to its normal use, which said work includes but is not limited to the following:

1. Control the leak
2. Drain the reservoir
3. Take emergency measures to assure safety downstream
4. Notify the Consulting Engineers who designed the facility
5. Call in the Contractor who constructed the facility
6. Secure any necessary equipment, material, or labor to determine the cause of the leak, and
7. Repair the structure to a satisfactory condition.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Board of Public Works Emergency Resolution 57-49-17 is hereby approved and the Board of Public Works is hereby authorized to proceed with all necessary work in connection with the repair and restoration of the Hurshtown Reservoir.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-20-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-04

SPECIAL ORDINANCE NO. S-24-72

AN ORDINANCE approving a certain bid document with WAYNE WASTE OIL for 350,000 Gal. SC1 Road Oil.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 444 dated April 3, 1972, between the City of Fort Wyne, by and through its Mayor and the Board of Public Works, Street Department and WAYNE WASTE OIL, for:

350,000 Gal. SC1 Road Oil

as more specifically set forth in said bid document Ref. No. 444 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote;

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-24-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-72-04-05

SPECIAL ORDINANCE NO. S-25-72

AN ORDINANCE approving a certain bid document with BALTIMORE PAINT & CHEMICAL CORPORATION for Pavement Marking Material.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 440 dated April 3, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Traffic Engineering Department and BALTIMORE PAINT & CHEMICAL CORPORATION, for:

Pavement Marking Material

as more specifically set forth in said bid document Ref. No. 440 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses and seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indian as Special Ordinance No. S-25-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-06

SPECIAL ORDINANCE NO. S-26-72

AN ORDINANCE approving a certain bid document with MINNESOTA MINING & MANUFACTURING COMPANY for Reflective Pavement Striping Powder.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 441 dated April 3, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Traffic Engineering Department and MINNESOTA MINING & MANUFACTURING COMPANY for:

Reflective Pavement Striping Powder

as more specifically set forth in said bid document Ref. No. 441 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: April 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-26-72 on the 25th day of April, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of April, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of April, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-19

SPECIAL ORDINANCE NO. S-33-72

A SPECIAL ORDINANCE authorizing the implementation of an affirmative action program, creating the appointive office of Equal Opportunity Officer, and fixing the salary for said office.

WHEREAS, the City of Fort Wayne, Indiana has entered into a Memorandum of Understanding with the United States of America, acting by and through its Department of Housing and Urban Development; and

WHEREAS, the Common Council of said City has approved said Memorandum of Understanding by resolution; and

WHEREAS, pursuant to said Memorandum of Understanding, said City is committed to the adoption of an Affirmative Action Program;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Mayor of Fort Wayne is hereby authorized to promulgate and Executive Order providing for the implementation of the Affirmative Action Program to which the City of Fort Wayne is committed pursuant to its Memorandum of Understanding with the United States of America, acting by and through its Department of Housing and Urban Development.

SECTION 2. There is hereby created the office of Equal Opportunity Officer, the incumbent of which office shall be appointed by the Mayor.

SECTION 3. The annual salary for said office shall be \$10,000.00.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 5-9-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-33-72 on the 9th day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 10th day of May, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-16

SPECIAL ORDINANCE NO. S-34-72

AN ORDINANCE approving a certain bid document with C.A. LEHMAN & SONS, INC. for RE-construction of Franke Nature Lodge Building.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 446 dated April 18, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and C. A. LEHMAN & SONS, INC., for

Reconstruction of Franke Nature Lodge Building

Base Bid	\$59,600.00
Tile	<u>1,050.00</u>
	\$60,650.00

117

as more specifically set forth in said bid document Ref. No. 446 and Purchase Order No. as required, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: May 9, 1972

Charles W. Weterman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-34-72 on the 10th day of May, 1972.

ATTEST (SEAL)

Charles W. Weterman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of May, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUPENSION OF RULES ON BILL NO. S-72-05-02

BILL NO. S-72-05-02

SPECIAL ORDINANCE NO. S-32-72

Councilman, William T. Hinga moved to suspend the rules on passage of BILL NO. S-72-05-02 at this meeting of May 9, 1972 of the Common Council of the City of Fort Wayne, Indiana. Said Motion was seconded by Councilman, Winfield C. Moses, Jr., and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

SPECIAL ORDINANCE NO. S-32-72

AN ORDINANCE approving a certain bid document with Allen County Motors, Inc. for six 4-door station wagons.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 450 dated April 27, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Police Department, and Allen County Motors, Inc., for

Six 4-door station wagons	
With Trade-ins	\$15,240.00

as more specifically set forth in said bid document Ref. No. 450 and Purchase Order No. 3-07115, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-8-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-32-72 on the 9th day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of May, 1972, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-03-05

RETURNED TO COMMON COUNCIL UNSIGNED BY MAYOR BUT PASSED BY
COMMON COUNCIL OVER MAYOR'S VETO

ZONING MAP ORDINANCE NO. Z-08-72

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. F-12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-12 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Commencing at a point on the North line of Section 29, Township 30 North, Range 13 East in Allen County, Indiana that is East of the Northwest corner of the Northwest quarter of said Section 29-30-13 a distance of 1535 feet, thence continuing East along said North section line a distance of 500 feet to a point, thence South 1 degree 26 minutes West a distance of 197 feet to a point, thence West a distance of 500 feet to a point, thence North 1 degree 26 minutes East a distance of 197 feet to the point of beginning, containing 2.26 acres, more or less, subject to County Road right of way across the North boundary thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

BILL NO. Z-72-03-05 was represented in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
Nays: One
V. Schmidt

Date: May 9, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-08-72 on the 9th day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-04-15

SPECIAL ORDINANCE NO. S-35-72

AN ORDINANCE approving Change Order No. 7 with C & C/Bohrer, Inc. covering work performed on Sewage Works Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 7, with C & C/Bohrer, Inc. covering work performed on Sewage Works Project - Chlorination Building and Controls, for a total cost of \$5, 113.00, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 5-9-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-35-72 on the 9th day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of May, 1972 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff

BILL NO. R-72-04-13

RESOLUTION NO. R-23-72

A RESOLUTION concerning certain power of the Fort Wayne Economic Development Commission.

WHEREAS, the Common Council of the City of Fort Wayne has adopted an ordinance providing for the establishment of a Fort Wayne Economic Development Commission; and

WHEREAS, said Commission was created pursuant to a statute of the State of Indiana which provides that said Commission may exercise broad powers throughout the City of Fort Wayne and the County of Allen; and

WHEREAS, the Common Council of the City of Fort Wayne recognizes that said Commission must have a great deal of flexibility in order to deal with problems as they arise in the future; and

WHEREAS, while recognizing the need for such flexibility, the Common Council of the City Of Fort Wayne is nevertheless desirous that said Commission not exercise its powers in such a manner as to effect the ecological balance in the County of Allen nor in such a manner as to interfere with the development for residential purposes and for park and recreational purposes

of such areas in the County of Allen as are adopted to such purposes.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, THAT:

It is the desire of the Common Council of the City of Fort Wayne that the Fort Wayne Economic Development Commission exercise its powers to aid industry in the County of Allen beyond the boundaries of the City of Fort Wayne, primarily in areas where there is already existing industrial or commercial development.

Vivian G. Schmidt
Councilman

BILL NO. S-72-05-03

SPECIAL ORDINANCE NO. S-36-72

AN ORDINANCE approving a certain bid document with Griffith's Harley-Davidson Sales & Service for 5 motorcycles- 3 wheel type.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 448 dated April 25, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Police Department, and Griffith's Harley-Davidson Sales & Service, for

5 motorcycles - 3 wheel type
with rear compartment \$11,628.47

as more specifically set forth in said bid document Ref. No. 448 and Purchase Order No. 3-07014, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 5-23-72
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-36-72 on the 23rd day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indian, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-04

SPECIAL ORDINANCE NO. S-37-72

AN ORDINANCE approving a certain bid document with Stockberger Machinery, Inc. for one Brush Chipper.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 449 dated April 27, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and Stockberger Machinery, Inc., for

One Brush Chipper \$4,025.00

as more specifically set forth in said bid document Ref. No. 449 and Purchase Order No. 3-07114, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 5-23-72 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-37-72 on the 23rd day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-05-12

RESOLUTION NO. R-24-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, Squad Car # 3 was damaged in an automobile accident May 1, 1972 at the intersection of Maumee and Anthony Streets; and

WHEREAS, settlement in the amount of \$261.96 was made by Allstate Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelly Buick, Inc. has submitted an estimate in the amount of \$261.96, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$261.96 to Jim Kelly Buick, Inc. for repairs to Squad Car # 3.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 5-23-72 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution

R-24-72 on the 23rd day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-05-15

RESOLUTION NO. R-25-72

RESOLUTION authorizing payment for
repairs to City-owned vehicle.

WHEREAS, Squad Car # 21 was damaged in an automobile accident May 1, 1972, in the 1200 block of Wells Street; and

WHEREAS, settlement in the amount of \$143.30 was paid by American States Insurance Company to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelly Buick, Inc. has submitted an estimate in the amount of \$143.30, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$143.30 to Jim Kelly Buick, Inc. for repairs to Squad Car # 21.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 5-23-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-25-72 on the 23rd day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-05-26

RESOLUTION NO. R-26-72

A RESOLUTION concerning Flood Plain
Zoning.

WHEREAS, many sections of the City of Fort Wayne are subject to flooding and such flooding is a danger to the people and property within the City of Fort Wayne; and

WHEREAS, the lack of proper flood plain zoning hinders the obtaining of proper Federal flood insurance and may hinder the obtaining of certain Federal flood control funds now.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Common Council undertake to pass adequate flood zoning legislation as soon as the location of flood plain areas can be adequately determined by the County Surveyor, the City of Fort Wayne Board of Works and other interested parties.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Moses and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-26-72 on the 23rd day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-07

SPECIAL ORDINANCE NO. S-38-72

AN ORDINANCE approving Change Order No. 7 with John Dehner, Inc. in connection with work performed on Inner-City Storm Relief Project Sewer Resolution No. 251.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 7, with John Dehner, Inc., in connection with work performed on Inner-City Storm Relief Project Sewer Resolution No. 251, to establish item numbers and prices for items which were not in the original bid and have been required during the construction of this contract, for a net increase in the contract of \$8,751.15, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and ; on motion by Moses seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-23-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-38-72 on the 23rd. day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-05-27

RESOLUTION NO. R-27-72

WHEREAS, the United States of America is still deeply involved in the Vietnam War; and

WHEREAS, since 1961 the total death count of military dead as a direct result of said war is:

1. American Military deaths	45,703
2. South Vietnamese deaths	159,839
3. Communists deaths	810,757
4. Civilian casualties include (an estimated 30% or 97,500 children under 13 years of age)	
1,050,000 in South Vietnam	325,000 killed

WHEREAS, above death totals do not include other human injuries and casualties; and

WHEREAS, the Refugee Sub-committee estimates that "over a third of South Vietnam's estimated population of 18 million have become refugees since 1964, with the vast majority still crowded into urban areas or into refugee centers near provincial and district towns; and

WHEREAS, the United States of America has expended 6,319,320 tons of air munitions in South Vietnam as opposed to only 2,160,110 tons in all of World War II. This is enough munitions to create 3.5 million craters 45 feet in diameter and 30 feet in depth in South Vietnam and the Communists still control a major portion of South Vietnam; and

WHEREAS, three million Indo Chinese civilians are now living in areas subject to U. S. bombing at any time day or night and this is approximately equal to fifteen (15) times the amount of civilians in metropolitan Fort Wayne; and

WHEREAS, since 1965, fighting the War in Vietnam has cost the United States of America \$123,000,000,000, which figure does not include the indirect costs, such as war generated inflation, Vietnam Veteran's benefits, and rehabilitation for drug-addicted troops. Considering the veterans alone, and using past Wars as a guide, it is estimated that the budgeted cost of the War will be increased by at least 50% or \$60,000,000,000 as Vietnam Veterans benefits are paid out in the future. A further cost will be borne by the U. S. taxpayer as they pay more and more interest on the national debt, which is nearly 80% war-created; and

WHEREAS, to estimate each taxpayer's contribution of Fort Wayne, to the Vietnam war the formula developed by Senator Mark Hatfield allows each citizen to calculate his individual contribution to military spending and to the war in Vietnam and is as follows:

Simply estimate the Total Federal Taxes you paid during fiscal 1971 (July 1, 1970 - June 30, 1971) which includes your income tax; excise taxes on alcohol, tobacco, amusement, telephone, luxuries, and custom duties, estate taxes and gift taxes, if any and multiply this total by 0.64 and you will have your contribution to military spending for fiscal 1971. Multiply that same total by 0.10 and you will have your contribution to the Vietnam War last year. To determine total contributions since 1965 multiply that same total by 0.77; and

WHEREAS, using said Senator Hatfield's formula the average Fort Wayne taxpayer paid \$1,542.00 last year in Federal taxes, of this amount \$987.00 was for military purposes, \$154.00

specifically for the Vietnamese War. Since 1965 the War in Vietnam has cost the average Fort Wayne taxpayer a total of \$1,188.00; and

WHEREAS, the following figures reveal the present order of priorities, and new priorities are needed if we are to restore the health of the economy, and meet the pressing need for Federal funds for water and sewer projects, housing, aid to education, law enforcement, environmental protection, youth care, job retraining, irrigation and flood control, recreational area development, etc.; and

WHEREAS, the War in Vietnam has also cost a great deal to Fort Wayne in terms of lost opportunities, the list of much needed projects is nearly inexhaustible, and the list of projects rejected or delayed for lack of funds is nearly as long including:

- | | |
|--|-----------|
| 1. Pollution control project for City Light | \$736,000 |
| 2. Storm relief sewer for Harvester ditch | \$600,000 |
| 3. Saint Mary's Interceptor, extension of Lower Huntington Road | \$273,000 |
| 4. African Veldt - (Children's Zoo) | \$ 49,297 |
| 5. Redesign of Crescent Avenue at Anthony Blvd. including changes in traffic signals | \$ 50,000 |
| 6. Lime sludge facilities | \$263,296 |
| 7. Chlorination facilities, treatment of effluent from treatment plant | \$586,000 |
| 8. Improve St. Joe Road from State Rd. #37 north to Evard Road. | \$500,000 |

WHEREAS, in addition to the horrible human cost of death and injury to young Fort Wayne men, the War has caused the people of Fort Wayne to forfeit large sums of money and tremendous economic opportunities and Fort Wayne has suffered and the quality of living has gone wanting; and

WHEREAS, the road to a healthier economy and to a better quality of life leads away from excessive military spending. The way is through development of community, commercial, human and natural resources. It is time for a change.

THEREFORE BE IT RESOLVED that the Common Council of the City of Fort Wayne, Indiana in the best interests of this community and the nation as a whole calls upon our Federal Government to:

1. Cease bombing and harbor mining throughout Indo China, although we deplore the invasion of South Vietnam by North Vietnam;
2. Immediately release all prisoners of war on both sides;
3. Withdraw all American Troops upon release of all prisoners of war by North Vietnam and cut off all military funds;
4. Resume the Paris Peace talks by the United States;

5. Call upon the President, Indiana Senators Vance Hartke and Birch Bayh, and Congressman Edward Roush to support the Mansfield Amendment with which cuts off funds for United States Ground Forces in Vietnam by August 31, 1972, if the Vietnamese will release prisoners of war and cease firing on American troops; and

BE IT FURTHER RESOLVED that in pursuit of a local positive action program we pledge to work toward a program to:

1. Assist our returning Vietnam Veterans in locating employment and returning to civilian life;
2. Seek every possible way to have the financial priorities of Fort Wayne and other cities given equal consideration for the vast economic expenditures by our Federal Government.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
~~Burns~~, Kraus, Nuckols, Moses, V. Schmidt, Stier
 Nays: Three
 Burns, Hinga, D. Schmidt
 Abstained: One
 Talarico

Date: 5-23-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-27-72 on the 23rd day of May, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of May, 1972, at the hour of 8:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-11

SPECIAL ORDINANCE NO. S-39-72

AN ORDINANCE approving a certain bid document with INTERNATIONAL HARVESTER COMPANY for two (2) trucks for slurry machines.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 454 dated May 19, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works-Street Department, and INTERNATIONAL HARVESTER COMPANY, for

2 - Trucks for Slurry Machines

as more specifically set forth in said bid document Reference No. 454 and Purchase Order No. 3-0706, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-39-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-16

SPECIAL ORDINANCE NO. S-40-72

AN ORDINANCE approving a certain bid document with DELAGRANGE FORD SALES, INC. for Mobile Aerial Tower, Cab, & Chassis.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 451 dated May 16, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and DELAGRANGE FORD SALES, INC., for

1 - Mobile Aerial Tower, Cab & Chassis

as more specifically set forth in said bid document Reference No. 451 and Purchase Order No. 3-07502, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-40-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-17

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance approving a certain bid document with ALLEN COUNTY MOTORS for G.V.W. Van Truck have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be WITHDRAWN.

William T. Hinga
Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

Concurred in 6-13-72

Charles W. Westerman
City Clerk

BILL NO. S-72-05-18

SPECIAL ORDINANCE NO. S-41-72

AN ORDINANCE approving a certain bid document with DEEDS EQUIPMENT COMPANY, INC. for two (2) slurry machines.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No1 453 dated May 19, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works-Street Department, and DEEDS EQUIPMENT COMPANY, INC., for

2 Slurry Machines New Highway Model SM-8

as more specifically set forth in said bid document Reference No.453 and Purchase Order No. 3-07605, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-41-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-06-01

RESOLUTION NO. R-28-72

RESOLUTION authorizing payment of claims due to a fire at 1717 South Lafayette.

WHEREAS, a fire damaged the building at 1717 South Lafayette Street on February 1, 1972; and

WHEREAS, settlement in the amount of \$998.46 was paid by American Insurance Company to the City Controller's Office, which money was received into the General Fund; and

WHEREAS, Pearsons, Rolf, Ohio Plate Glass, Swiss Cleaners and City Utilities have submitted invoices in the amount of \$998.45.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the claims as follows:

Pearson, Inc. - repair to sprinkler system	\$128.90
Rolf Coal, Inc. - service to heating and cooling system	180.00
Ohio Plate Glass - replace glass	18.00
Swiss Cleaners - dry clean drapes	28.90
City Utilities - Ed Singleton, paint, clean, etc.	641.75
	<u>\$998.46</u>

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote;

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-28-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-03-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning May No. C-10 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul "Mike" Burns
Vivian G. Schmidt

Concurred in 6-13-72

Charles W. Westerman
City Clerk

BILL NO. A-72-04-26

ZONING MAP ORDINANCE NO. Z-09-72

AN ORDINANCE Amending the City of Fort Wayne Zoning Map No. G-5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. G-5 referred to therein, established by section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 1 and Lot 2 in Curdes Homewood Acres, as recorded in Plat Book #8, Page # 46, an addition to the City of Fort Wayne, Indiana with the description last appearing in Deed Rec. 627 page 478 of the records in office of the Allen County Recorder.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-09-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-04-27

ZONING MAP ORDINANCE NO. Z-10-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD - 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an BIA District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD - 2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 240 Commercial 2nd. Add. Book 94 Page 21

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-10-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City Of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-04-28

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D- 11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B - 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D - 11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot numbered 14 St. Joseph Park Addition, Recorded in Plat Book # 3, page # 68, in Allen County, Indiana, except the following described parcel, to-wit: Beginning at the Southwest corner of Lot Number 14 St. Joseph Park Addition; thence North-easterly along the St. Joe Gravel Road, a distance of 95 feet to a point; thence in a Southeasterly direction on a line parallel with the North line of Lot Numbered 14 a distance of 200 feet to a point; thence in a Southwesterly direction and parallel with the St. Joe Gravel Road, a distance of 95 feet to the South line of Lot Numbered 14; thence in a Northwesterly direction 200 feet to the point of beginning in Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

BILL NO. Z-72-05-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map no. A - 11, B - 11 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul "Mike" Burns
Vivian G. Schmidt

Concurred in 6-13-72

Charles W. Westerman
City Clerk

BILL NO. Z-72-05-06

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. BB - 9 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul "Mike" Burns
Vivian G. Schmidt

Concurred in 6-13-72

Charles W. Westerman
City Clerk

BILL NO. G-72-05-30

GENERAL ORDINANCE NO. G-08-72

AN ORDINANCE amending Section 3 through 5 each inclusive, of Chapter 35 fo The Fort Wayne Municipal Code, pertaining to the control of weeds, noxious plants, and rank vegetation and transferring certain duties in connection therewith from the Police Department and Board of Public Works to the Board of Health and the Department of Public Parks.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Sections 3 through 6, inclusive of Chapter 35 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read as follows:

Section 3.

At least once during each of the months of May, June, July, August, September, and October of each year it shall be the duty of every person to cut, and remove from any premises owned, leased, or occupied by such person, weeds, noxious plants, and / or rank vegetation.

Section 4.

It shall be a misdemeanor for any owner, lessee, occupant to fail to cut and remove from the premises weeds, noxious plants and / or rank vegetation. upon conviction, any such owner, lessee, or occupant shall be fined not less than \$10.00 nor more than \$300.00.

Section 5.

Upon request of the Board of Health, it shall be the duty of the Department of Public Parks to cut and remove all weeds, noxious plants, and / or rank vegetation in all cases in which the owner, lessee, or occupant of the premises neglects or refuses to do so, after being notified to do so by written notice delivered to such owner, lessee or occupant personally or left at his usual place of abode with some person of suitable age and discretion residing therein; or if there is no lessee or occupant, and if the identity and address of the owner may not be determined by inquiry in the neighborhood and is not otherwise known, then the Board of Health may notify such owner as hereinabove provided or in the event such owner does not reside within the boundaries of the City of Fort Wayne, Indiana, he should be notified by registered or certified mail, return receipt requested and received, provided that the return of such mail with a notation of the addressee's refusal to accept it shall be sufficient proof of receipt.

Section 6.

In cases in which such work is performed on property owned by the City, such work shall be performed at the expense of the City. In all other cases, the cost of such work shall be billed by the Department of Public Parks to the owner of the property together with \$1.00 as a fee for notification as hereinabove provided and such billing shall constitute a lien on such property until paid, provided that the City may foreclose on such lien for the collection of such cost at any time after 30 days from the date of first billing. The perfecting and foreclosure of said lien shall be accomplished in the same manner as the foreclosure of other liens in favor of the City created by ordinance.

SECTION 2. If any section, clause, sentence, paragraph, part of provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part, or provision.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-08-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-05-33

GENERAL ORDINANCE NO. G-09-72

AN ORDINANCE amending Chapter 11, Section 3 of the Municipal Code of the City of Fort Wayne (Fire Prevention Code)

SECTION 1. That Section 3 of Chapter 11 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended, be and the same is hereby amended to be and read as follows:

SECTION 3.

There is hereby adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the American Insurance Association, being particularly the 1970 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which code not less than three copies have been and now are filed in the office of the Clerk of the City and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City.

SECTION 2. The Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: june 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-09-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-21

SPECIAL ORDINANCE NO. S-42-72

AN ORDINANCE approving a contract with HITZFIELD EXCAVATING, INC. for Sanitary Sewer Improvement in the area of Thompson-Dinnen - Huestis Avenues.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved April 6, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and HITZFIELD EXCAVATING, INC. for Sanitary Sewer Improvement Resolution No. 858 - 1972, known as Thompson - Dinnen - Huestis Avenues, as follows:

Beginning at a proposed manhole located 73± L.F. South and 6 feet East of the Northeast corner of Lot # 25 of Thompson's Third Addition as recorded in Plat Book No. 2, Page 14; thence due West 73 feet South of and parallel to the North property line of Lots 21 through 25 inclusive terminating at a proposed cleanout located 73 feet South of and 10 feet West of the Northeast corner of Lot # 21 of said Thompson's Third Addition.

Said sewer shall be 8 inches in diameter.

for a total cost of \$3,339.10, the City's Approximate Share being \$2,492.00 and the balance to be handled by Barrett Law System, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-47-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-04-22

SPECIAL ORDINANCE NO. S-43-72

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Sanitary Sewer Improvement in area of Wildwood and Dinnen Avenues.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved April 6, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC. for Sanitary Sewer Improvement Resolution No. 856-1972 in the area of Wildwood and Dinnen Avenues, as follows:

Beginning at an existing sanitary manhole in an alley located 5± l.f. South of Lot # 10 of Felts Addition as recorded in Plat Book 2,

Page 77; thence, Southerly along the alley 160+ l.f. to a proposed manhold; thence Easterly 50+ l.f. to a proposed manhold located 30+ l.f. West of the most Westerly point of Lot # 28 of High Bank Addition; thence Southerly 240+ l.f. and terminating at a proposed manhold located 61+ feet South of and 60+ l.f. West of the Northeast corner of Lot #33 of said High Bank Addition.

Lateral A

Beginning at afore described sanitary manhold located 5+ l.f. East of and 5+ l.f. South of the Southeast corner of said Lot #10 Felts Addition; thence Northwesterly 240+ l.f. terminating at a proposed manhold located near the most southerly point of Lot #14 of said Felts Addition.

Said sewers shall be 8 inches in diameter.

for a total cost of \$16,772.80, the City's Approximate Share being \$12,592.16 and the balance to be handled by the Barrett Law System, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED BY THE following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June, 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-43-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-08

SPECIAL ORDINANCE NO. S-44-72

AN ORDINANCE approving Change Order No.8 with Earth Construction and Engineering, Inc. in connection with work performed on Inner-City Storm Relief Project Sewer Resolution No. 249.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That change order No. 8, with Earth Construction and Engineering, Inc., in connection with work performed on Inner-City Storm relief Project Sewer Resolution No. 249, to adjust the original bid quantities, for a net increase in the contract of \$15,940.85, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote.

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-44-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-24

SPECIAL ORDINANCE NO. S-45-72

AN ORDINANCE approving a contract with SCHEELE CONSTRUCTION COMPANY, INC. for Storm Sewer Improvement Resolution No. 260-1971.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved May 15, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and SCHEELE CONSTRUCTION COMPANY, INC. for Storm Sewer Improvement Resolution No. 260-1971, as Follows:

The Storm Water Overflow Demonstration Grant
Project No. 11020 GYU, Section LV, Resolution
No. 260

for a total cost of \$497,270.97, as more specifically set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-45-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-25

SPECIAL ORDINANCE NO. S-46-72

AN ORDINANCE approving a contract with A. GROSJEAN & SON to improve the alley between Glenwood and Vance Avenues from Carew to Rolston Streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved May 15, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and A. GROSJEAN & SON, Alley Improvement Resolution No. 5606-1972, as follows:

The alley between Glenwood Avenue and Vance Avenue from the east property line of Carew Street to the west property line of Rolston Street

for a total cost of \$11,355.50, the City's participation on said improvement is \$4,119.00, as more specifically set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-46-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-01

SPECIAL ORDINANCE NO. S-47-72

AN ORDINANCE approving a contract with Westinghouse Electric Corporation for one Oil Circuit Breaker and one Pneumatic Tank Lifter for Lakeside Substation site southeast of Lakeside Junior High School.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated May 3, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Westinghouse Electric Corporation, for:

one #345GS1500 Oil Circuit Breaker and one Pneumatic Tank Lifter for Lakeside Substation site southeast of Lakeside Junior High School.

for a total cost of \$7,125.00, all as more particularly set forth on City Utilities Purchase Order No. 5836, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: June 13, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-47-72 on the 13th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 14th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of June, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-06-08

GENERAL ORDINANCE NO. G-10-72

AN ORDINANCE amending the Municipal Code of the City of Fort Wayne, Indiana, 1946, (1959 Edition) by amending Chapter 36-A which adopts the General Plan for the City of Fort Wayne as part of the Master Plan for said city.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That The Comprehensive Transportation Plan, for the future development of the City of Fort Wayne, bearing date of December 1, 1971, and titled FORT WAYNE, NEW HAVEN, ALLEN COUNTY AREA TRANSPORTATION STUDY, Summary Report No. 5, Development of The Recommended Transportation Plan, as prepared and adopted by The Three Rivers Coordinating Council which said plan authorized by the Planning Acts of 1947, enacted by the Indiana General Assembly as Chapter 174, of the Acts of 1947, as amended, was duly adopted by the Fort Wayne City Plan Commission at a meeting, June 15, 1972, following legal notice and public hearing June 15, 1972, be and hereby is adopted as a part of the Master Plan for the City of Fort Wayne.

SECTION 2. That said Transportation Plan, consisting of the above described Summary Report No. 5, Development of the Recommended Transportation Plan, is hereby incorporated, by reference, and made a part of this ordinance for the portion of the plan located inside the jurisdictional area of the Fort Wayne City Plan Commission, and by reference, made a part of this ordinance under authority of the Acts of the General Assembly of the State of Indiana.

SECTION 3. That said Comprehensive Transportation Plan be and remain filed in the Offices of the Clerk of the City of Fort Wayne.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage approved by the Mayor and due legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 6-15-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-10-72 on the 15th day of June, 1972.

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of June, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of June, 1972, at the hour of 11:15 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-06-16

RESOLUTION NO. DEFEATED

RESOLUTION authorizing further study of the
Comprehensive Transportation Plan

WHEREAS, the City of Fort Wayne, Indiana has adopted a comprehensive transportation plan as a part of the Master Plan for said city, and

WHEREAS, said comprehensive transportation plan contemplates the construction of the north-south and east-west expressways; and

WHEREAS, town hall meetings have been held in each of the six councilmanic districts for the purpose of providing convenient forms at which all interested citizens were free to express themselves upon said Comprehensive Transportation Plan; and

WHEREAS, after meetings were held with various civic groups and governmental agencies for the purpose of examining said Comprehensive Transportation Plan have been thoroughly explored by the new media; and

WHEREAS, it appears that the benefits to be expected from said expressways do not equal the cost in terms of total community impact, including among other detrimental factors, the social and economic costs of relocation to be caused by said expressways, the effect upon the ecology, and of said expressways the deterioration said expressways would produce in the neighborhoods through which they would pass and in the downtown area:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Those departments of the City of Fort Wayne, Indiana concerned with engineering and planning cooperate among themselves to review the aforesaid Comprehensive Transportation Plan and to revise the same so as to eliminate the north-south and east-west expressways, except to the extent said east-west expressway shall be constructed along existing railroad rights of way without establishing any new corridor through residential neighborhoods; and

BE IT FURTHER RESOLVED that aforesaid departments cooperate among themselves and coordinate with the Fort Wayne Public Transportation Corporation to devise a visible functioning system of mass transportation for the community.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Kraus, Nuckols, V. Schmidt, Talarico
Nays: Five
Burns, Hinga, Moses, D. Schmidt, Stier

Date: 6-15-72

Charles W. Westerman
City Clerk

BILL NO. S-72-06-02

SPECIAL ORDINANCE NO. S-48-72

AN ORDINANCE authorizing the execution of a deed to Mid-West Towel and linen Service, Inc. for certain real estate owned by the city of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

A tract of land commencing at the Southwest corner of Lot Number 11 in Charles Sherer's Riverside Addition to the City of Fort Wayne; thence East along the South line of Lot Number 11, Lot Number 12 and the West 12 feet of Lot Number 13 in said Addition to a point in the South line of said Lot Number 13; thence South 5 Feet; thence west parallel with the South line of Lots Number 11, 12, and 13 in Charles Sherer's Riverside Addition a distance of 112 feet to a point due South of the point of beginning; thence North 5 feet to the place of beginning;

and

WHEREAS, this Council has determined that it will be in the best interest of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to Mid-West Towel and Linen Service, Inc., for the Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the Seal of said City.

SECTION 2. That the Judge of Allen County Circuit Court be, and he hereby is, requested to appoint three (3) disinterested free holders of the City of Fort Wayne to appraise and determine the fair market value of the parcel of real estate hereinbefore described with a view to the execution of the deed authorized above.

SECTION 3. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 4. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all the members of the Common Council present and there are present and voting at least two-thirds of all the members elect of said Common Council.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-48-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-03

SPECIAL ORDINANCE NO. S-49-72

AN ORDINANCE approving bid document Ref. No. 445 with INTERNATIONAL HARVESTER COMPANY and GENERAL TRUCK SALES for various trucks.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 455, approved May 4, 1972, between the City of Fort Wayne, by and through its Mayor, Board of Park Commissioners and Department of Purchases, and INTERNATIONAL HARVESTER COMPANY and GENERAL TRUCK SALES, for:

Item 1.	One 3/4 Ton Truck with Utility Body International Harvester	\$2,894.14
Item 2.	Two 3/4 Ton Pickup Trucks - General Truck Sales	\$4,830.00
Item 3.	One 1 Ton Dump Truck - General Truck Sales	\$3,065.00
Item 4.	One 1 Ton Cab & Chassis - General Truck Sales	\$2,650.00

all as more specifically set forth in said bid document Ref. No. 445 and Purchase Order No. 3-07867, Item 1 and Purchase Order No. 3-07868, Items 2, 3, and 4, which are on file in the office of the Department of Purchases and are by reference unincorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-49-72 on the 28th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28 th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.,

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-04

SPECIAL ORDINANCE NO. S-50-72

AN ORDINANCE approving a contract between the City of Fort Wayne, Indiana and National Loss Control Service Corporation under which said corporation is to provide certain Fire Protection Services.

WHEREAS, National Loss Control Service Corporation (hereinafter referred to as "NATLSCO") is a corporation engaged in the business of rendering professional fire protection engineering services, in the course of which business, it has provided municipal fire protection services for a number of cities; and it has provided municipal fire protection services for a number of cities; and

WHEREAS, NATLSCO has submitted to the City of Fort Wayne, Indiana, its "Proposal for Fire Protection Study for the City of Fort Wayne, Indiana" dated April 26, 1972; and

WHEREAS, it would be the objective of such study to "... formulated a workable plan for restructuring, where necessary, the Fort Wayne Fire Department. This restructuring would include an evaluation of the number and locations of fire stations and fire companies, equipment

complements, personnel levels and related operations in addition to other activities normally associated with a fire department. The level of fire protection with respect to fire insurance rates (grading classification) will be estimated and costs and savings will be computed."; and

WHEREAS, within the near future, the City of Fort Wayne, Indiana can expect to be studied by the fire insurance industry for the purpose of reviewing the City's rating classification for fire insurance purposes, and

WHEREAS, prior to the commencement of such study it is desirable that the City of Fort Wayne, Indiana be provided a current assessment of the fire protection situation existing in the City; and

WHEREAS, the City of Fort Wayne, Indiana is desirous of entering into a contract which would carry out the purposes of the aforesaid "Proposal for Fire Protection Study for the City of Fort Wayne, Indiana."

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Common Council of the City of Fort Wayne, Indiana hereby approves a certain contract between the City and NATLSCO under which NATLSCO will undertake and complete a fire protection study as outlined in its aforesaid "Proposal for Fire Protection Study for the City of Fort Wayne, Indiana " which study shall include the following:

1. Evaluation of Existing and Projected Future Land Use.
2. Evaluation of Required Fire Flows and Life Safety Demands.
3. Evaluation of Distribution of Fire Stations and Companies within the City.
4. Evaluation of Fire Department Manpower Needs.
5. Evaluation of Fire Department Training Program.
6. Evaluation of Apparatus Needs and the Purchasing and Maintenance Programs.
7. Evaluation of Fire Service Communication and Street Alarm System Needs.
8. Evaluation of Fire Prevention Bureau.
9. Review of City's Fire Insurance Rating Classification.
10. Improvement program.

SECTION 2. That said contract be for an amount not to exceed \$23,500.00, unless increased costs are authorized in advance by mutual written approval and are further approved in advance by the Common Council of the City of Fort Wayne, Indiana.

SECTION 3. That said contract shall contain among other things, provisions for equal employment opportunity and methods of payment.

SECTION 4. This Ordinance shall be in full force and effect upon its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-50-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972 at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-05

SPECIAL ORDINANCE NO. S-51-72

AN ORDINANCE approving Agreement to Purchase real estate from Pernella Tubbs.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement to purchase real estate, dated May 16, 1972, between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and PERNELLA TUBBS, for the real estate described as follows, to-wit:

Lot 210 in Lewis Addition to the City of Fort Wayne, according to the recorded plat thereof (1801 S. Lafayette Street).

for the sum of \$7,200.00, cash to be paid upon the delivery of a good and sufficient Warranty Deed for said real estate, all as more particularly set forth in said Agreement to Purchase, which is by reference incorporated herein and made hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-51-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-06-17

RESOLUTION NO. R-30-72

RESOLUTION authorizing transfer of funds within the 1972 Budget of the City Controller.

WHEREAS, it is necessary to establish a revolving fund to make operating cash available for Recreation Support Program; and

WHEREAS, the RSP Programs will be reimbursed by the Federal Government at the end of the program in August; and

WHEREAS, there are unexpended funds in Account # 2-2-263 Historical Landmark Preservation and Account #2-2-264, Computer Services & Rental.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. The City Controller is hereby authorized to transfer the sum of \$10,000.00 from the 1972 Budget Account No. 2-2-263, Historical Landmark Preservation to the Recreation Support Program, and \$5,000.00 from the 1972 Budget Account No. 2-2-264 to the Recreation Support Program.

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-30-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-06-19

RESOLUTION NO. R-29-72

RESOLUTION authorizing payment for repairs to
City - owned vehicle.

WHEREAS, Car #57 was damaged in an automobile accident May 23, 1972 at 2712 South Hanna Street; and

WHEREAS, settlement in the amount of \$202.56 was amde by Allstate Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick, Inc. has submitted an estimate in the amount of \$202.56, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

1. That the City Controller is authorized to pay the sum of \$202.56 to Jim Kelley Buick Inc. for repairs to Car #57.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-29-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-06-07

GENERAL ORDINANCE NO. G-11-72

AN ORDINANCE amending the Building Code with
respect to Sanitary Plumbing and Electrical
Installations.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. All of Division 400 and Section 505 of Division 500 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended and recodified referred to as the Building Code is hereby amended by repealing all of said Division 400 and said Section 505 of Division 500 of the Building Code, and there is hereby substituted the following which are in lieu of the above Division and Sections of Said Building Code hereinabove repealed:

DIVISION 400 - ELECTRICAL INSTALLATIONS

404.1 There is hereby incorporated by reference and made a part of the Building Code of the City of Fort Wayne, Indiana, all of the provisions of the National Electrical Code 1971 edition.

505 Quality and Weights of Materials

505.1 There is hereby incorporated by reference and made a part of the Building Code of the City of Fort Wayne, Indiana, all of the provisions of Chapter III and Chapter IV of the National Standard Plumbing Code 1971 as suggested by the National Association of Plumbing-Heating - Cooling Contractors.

SECTION 2. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication as required by law.

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-11-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-09

SPECIAL ORDINANCE NO. S-52-72

AN ORDINANCE ordering a sidewalk on the southside of Vance Avenue, in the City of Fort Wayne, Indiana, except where sidewalk is now in place.

WHEREAS, the Board of Public Works of the City of Fort Wayne adopted Sidewalk Improvement Resolution Nos. as follows:

Sidewalk Improvement Resolution No. 5610-1972 for the construction of sidewalk on the south side of Vance Avenue from the east curb line of Devon Drive to the west curb line of Kingsley Drive, except where sidewalk is now in place.

Sidewalk Improvement Resolution No. 5613-1972 to construct sidewalk on the southside of Vance Avenue from the east property line of Glencairn Drive to the west property line of Devon Drive, except where sidewalk is now in place to a width of five feet.

Sidewalk Improvement Resolution No. 5616 - 1972 for the construction of the south side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Avenue to a width of five feet.

Sidewalk Improvement Resolution No. 5615-1972 to construct sidewalk on the south side of Vance Avenue from the east pavement line of Coliseum Boulevard North to the west curb line of Inwood Drive to a width of five feet.

Sidewalk Improvement Resolution No. 5617-1972 to construct sidewalk on the north side of Vance Avenue from the East curb line of Inwood Drive to the west property line of Glencairn Drive to a width of five feet.

WHEREAS, within 10 days after the day named for hearing upon said Resolutions, a majority of the resident freeholders on said street remonstrated against said improvement; and

WHEREAS, on May 11, 1972, the Board of Public Works, upon consideration of such remonstrance, determined that in its opinion, a public need and necessity for said sidewalk exists for the safety of the children in the area so that they will not be compelled to walk and play in the street, and by its communication dated May 11, 1972, heretofore made a matter of record, communication dated May 11, 1972, heretofore made a matter of record, communicated the foregoing to this body; and

WHEREAS, Section 107 of Chapter 129 of the Acts of 1905 of the State of Indiana amended, provides that in the event of such a remonstrance, the improvement shall not be made unless specifically

ordered by an ordinance within 60 days thereafter, passed by two-thirds vote of the Council and approved by the Mayor.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the construction of the above-described sidewalk is hereby deemed to be of public need and necessity in order to provide for the safety of the children living and playing in said area.

SECTION 2. That notwithstanding any remonstrance filed against the same by the resident freeholders on said street, the construction of a sidewalk on the south side of Vance avenue as above described, be and the same is hereby specifically ordered, and this ordinance shall be and constitutes sufficient authority and direction to the Board of Public works of the City of Fort Wayne in the premises to proceed in accordance with said resolution.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: Three
Burns, Moses, D. Schmidt

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-52-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S. T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-12

SPECIAL ORDINANCE NO. S-53-72

AN ORDINANCE approving contract with L.W. DAILEY, Inc. for paving Bradwood Terrace.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved May 6, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and L.W. DAILEY, INC., for:

Paving Bradwood Terrace from the east property
line of Elwood Drive to the west property of
Reed Road

for a total of \$42,609.70, of which the City will pay approximately 36%, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-13

SPECIAL ORDINANCE NO. S-54-72

AN ORDINANCE approving contract with INTERNATIONAL HARVESTER for delivery of truck chassis for Water Pollution Control Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved May 30, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and INTERNATIONAL HARVESTER, for:

International Harvester Truck Chassis -
Model F1800, 3900 GVW Tandem Axle.

for a total cost of \$9,160.12, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 6151, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-54-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-15

SPECIAL ORDINANCE NO. S-56-72

AN ORDINANCE approving contract with HIPSKIND ASPHALT CORPORATION for Radcliffe Drive.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved May 24, 1972, between the City of Fort Wayne, by and through its Board of Public Works, and HIPSKIND ASPHALT CORPORATION, for:

Paving Radcliffe Drive from the south property line of Paulding Road to a point approximately 735 feet south thereof,

for a total cost of \$23,994.40, of which the City will pay approximately 36%, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-56-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, Winfield C. Moses, Jr. moved to suspend the rules on passage of BILL NO. S-72-06-26 at this meeting of June 27, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Paul Burns, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE WAS ACCORDINGLY PLACED ON ITS PASSAGE.

Charles W. Westerman
City Clerk

BILL NO. S-72-06-26

SPECIAL ORDINANCE NO. S-57-72

AN ORDINANCE approving Water Contract No. 7208 between RALPH L. SHIRMEYER, INC. and the FORT WAYNE WATER UTILITY for a watermain on Dunkelberg Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Water Contract No. 7208 dated April 27, 1972, between RALPH L. SHIRMEYER, INC. as Contributor, and the FORT WAYNE WATER UTILITY, by and through the Mayor and the Board of Public Works as Utility, for construction of water line on Dunkelberg Road from a point 835 feet west of the Winchester Road, thence westward a distance of 1760 \pm feet to Hemphill Drive.

Total cost of said main is \$32,224.00 of which the City shall pay \$6,151.00; the Contributor shall pay \$25,078.00, and the Utility expenses for furnishing for inspection, testing, etc. \$995.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Burns and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-57-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-05-14

SPECIAL ORDINANCE NO. S-55-72

AN ORDINANCE approving Water Contract No. 7206 with John Dehner, Inc. for the construction of the Canterbury Green Feeder Main.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Construction Contract for Water Contract No. 7206, approved May 18, 1972 between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and John Dehner, Inc. for

Construction and installation and furnishing all necessary materials for the installation of 1,070 ± feet of twenty-four (24) inch and 120± feet of sixteen (16) inch ductile iron pipe to connect with the existing twelve (12) inch water main on St. Joseph Center Road to serve the proposed Canterbury Market,

for a total cost of \$49,574.24, all to be paid by the City of Fort Wayne, as more particularly set forth on said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-55-72 on the 27th day of June, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of June, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of June, 1972, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

GENERAL ORDINANCE NO. G-12-72

AN ORDINANCE amending Ordinance No. G-85-70
 1) by abolishing the present Metropolitan Human Relations Commission thereby created;
 2) by replacing said Commission with a smaller Commission whose members are more representative of diverse elements of the community; 3) by expanding the powers of said Commission; 4) by expanding the scope of the duties of said commission; and 5) by making it unlawful to discriminate in education.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Article 1 of Ordinance No. G-85-70 is hereby amended to read as follows:

ARTICLE I - PURPOSES

Section 1. The Mayor and the Common Council of the City of Fort Wayne, INdiana, find that discrimination in social, cultural, and economic life in the City of Fort Wayne against any person or persons because of race, sex, color, religion, ancestry, national origin, or place of birth, is contrary to American principles and is harmful to the social, cultural, and economic life of Fort Wayne: that discrimination, particularly in employment opportunities, public accommodations, and housing, increases the burden and cost of government. That such discrimination contributes to increased crime, vice, juvenile delinquency, fires, and other evils thereby affecting the public safety, the public health, and the general welfare of the community; it is, therefore, deemed to be in the best interests of the City of Fort Wayne to create a metropolitan commission to administer and enforce anti-discrimination legislation and ordinances, all as authorized by the Indiana Civil Rights Act.

Section 2. In filling such broad purposes, the Metropolitan Human Relations Commission of the City of Fort Wayne is to:

- a) study the relationships between the various races, sexes, creeds and nationalities within the City of Fort Wayne and to advise and assist the various departments of the City of Fort Wayne in matters involving relationship between such groups to the end that prejudice, intolerance, bigotry, and discrimination will be eliminated in the City of Fort Wayne.
- b) eliminate the discrimination in education, employment, public accommodation, and housing based upon sex, race, religion, ancestry, national origin or place of birth.
- c) study, investigate and take action in regard to any condition having an adverse effect upon relations between the various races, sexes, creeds, and nationalities.
- d) institute and conduct educational and other programs intended to promote the equal rights and opportunities of all persons.
- e) solicit the cooperation of the various racial, ethnic, and religious groups within the community in order to improve the quality of communications and understanding within the community.
- f) stimulate private and governmental departments and agencies to develop and foster meaningful programs in support of the objectives and purposes of the Metropolitan Human Relations Commission.
- g) insure the equal protection of all persons and to insure the full availability of all rights and privileges of citizenship to all persons.

SECTION 2. Sections 2,3,4, and 5 of Article 3 of Ordinance No. G-85- 70 are amended to read as follwos:

Section 2.

- a) The Commission shall consist of seven (7) members:
 - i) one of whom shall be appointed by the Common Council from among its members at the annual meeting for the election of officers of the Council, and
 - ii) six of whom shall be appointed by the Mayor.
- b) The member appointed by the Common Council shall serve until the next annual meeting for the election of officers of the Council and members appointed by the Mayor shall serve, until December 31 of the second full year following the year of their appointment.

Section 3 - Qualifications of Members

- a) All members shall be residents of the City of Fort Wayne, The Mayor shall make only those appointments which insure:
 - i) That members are persons who have demonstrated a commitment to the purposes for which the Commission is created and
 - ii) That the Commission is broadly representative of the community in regard to race, religion, national origin, sex, and political affiliation.
- b) It shall be the Duty of the Mayor publicly to solicit suggestions for Commission appointments from organizations having an interest in the improvement of intergroup relations in the community and to give thoughtful consideration to the appointment of persons so suggested.

Section 4 (d). The Mayor shall, at any time, have the right to remove any member of the Commission (other than the member appointed by the Common Council) with or without cause.

Section 5 - Powers and Duties. The Commission shall have the following powers and duties:

a) All powers that may lawfully be conferred upon the Commission pursuant to applicable provisions of Indiana law (IC-1971 22-9-12) including, specifically, the power to investigate, conciliate, and hear complaints, subpoena and compel the attendance of witnesses and the production of pertinent documents and records, administer oaths, examine witnesses, appoint a hearing examiner or panel, make findings and recommendations, issue cease and desist orders requiring remedial action, institute actions for appropriate legal or equitable relief in the circuit or superior court.

b) The Commission shall meet monthly in a public facility beginning an hour not earlier than 7:00 P.M. nor later than 10:00 P.M. It shall be the duty of the Executive Director of the commission to notify the news media concerning such meetings not less than 72 hours prior to the time of such meetings. All meetings of the Commission shall be open to the public.

c) The Commission shall receive and investigate charges of discriminatory practices and, if it appears that reasonable grounds exist for the charges, the Commission shall accept a complaint or the director may make a complaint, which complaint shall be in writing and verified. If a complaint has been made, the Commission may hold hearings and make an investigation of the complaint, which investigation shall be conducted by the Commission or by the director of its staff.

d) The Commission shall endeavor to keep itself fully informed concerning the studies and findings of private organizations in respect to the practices falling within the Commission's jurisdiction.

e) Annual Report. The Commission shall render an annual report of its doings to the Mayor and to the common Council and shall render such other additional reports as the Mayor of the Council may from time to time request. The reports shall describe, in detail, the investigations and conciliation proceedings it has conducted and their outcome, the progress made, and any other work performed and achievement toward the elimination of discrimination.

SECTION 3. Article 4 of Ordinance No. G-85-70 is hereby amended by adding a new Section 7 which reads as follows:

Section 7. Discrimination in Education. It shall be unlawful for any person, establishment or governmental agency regularly engaged in the offering of educational services to discriminate against any one because of race, sex, color, or national origin except that an educational facility operated by or affiliated with a religious organization may discriminate on the basis of religious affiliation.

James Stier
Councilman

Read the third time in full and on motion by Stier seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 6-27-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-12-72 on the 27th day of June 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Mr. President,

I move for reconsideration of BILL NO. G-72-05-31 at the next regular meeting of the Common Council.

Donald Schmidt
Councilman

BILL NO. S-72-06-20

SPECIAL ORDINANCE NO. S-58-72

AN ORDINANCE approving memorandum of understanding between DANNIE'S MOBILE HOMES, INC. and the CITY OF FORT WAYNE for sanitary sewage disposal and treatment facilities in Valley Hills Estates.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Memorandum of Understanding approved June 1, 1972, between DANNIE'S MOBLIE HOMES, INC., as developoer; and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and the Board of Public Works, as City, for sanitary sewage disposal and treatment facilities in Valley Hills Estates, the total cost of said facilities to be borne by Developer, all as more particularly set forth in said Memorandum of Understanding, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratifl ed, confirmed and approved.

SECTION 2. The Developer, for itself, its successors in titles and assigns, waives and releases any and all rights which it may now or hereafter have to remostrate against, or otherwise object to, interfere with, or oppose any pending or future annexation by City of any territroy now or hereafter owned by it, or hereafter served by said facility.

Any owner or owners of land which is now, or hereafter, located outside the corporate limits of City who connect into the sewage facilities hereunder shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose and pending or future annexation by City of such land or of the territory in which it is located or of the area served by said facilities.

SECTION 3.. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Date: 7-11-72

Charles W. Westerman
City Clerk by
Melvin G. Honeck
Deputy Clerk

Read the third time in full and on motion by Burns, seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote;

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. =58-72 on the 11th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk by
Melvin G. Honeck
Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 17th day of July, 1972, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of July, 1972, at the hour of 11:30 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-05-31

GENERAL ORDINANCE NO. G-12-72

AN ORDINANCE amending Ordinance No. G-85-70
1) by abolishing the present Metropolitan Human Relations Commission thereby created; 2) by replacing said Commission with a smaller Commission whose members are more representative of diverse elements of the community; 3) by expanding the powers of said Commission; 4) by expanding the scope of the duties of said Commission; and 5) by making it unlawful to discriminate in education.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE COITY OF FORT WAYNE, INDIANA:

SECTION 1. Article 1 of Ordinance No. G-85-70 is hereby amended to read as follows:

ARTICLE I - PURPOSES

Section 1. The Mayor and the Common Council of the City of Fort Wayne, Indiana, find that discrimination in social, cultural and economic life in the City of Fort Wayne, against any person or persons because of race, sex, color, religion, ancestry, national origin, or place of birth, is contrary to American principles and is harmful to the social, cultural, and

economic life of Fort Wayne: that discrimination, particularly in employment opportunities, public accommodations, and housing, increases the burden and cost of government. That such discrimination contributes to increased crime, vice, juvenile delinquency, fires and other evils thereby affecting the public safety, the public health, and the general welfare of the community; it is therefore, deemed to be in the best interests of the City of Fort Wayne to create a metropolitan commission to administer and enforce anti-discrimination legislation and ordinances, all as authorized by the Indiana Civil Rights Act.

Section 2. In filling such broad purposes, the Metropolitan Human Relations Commission of the City of Fort Wayne is to:

a) study the relationships between the various races, sexes, creeds and nationalities within the City of Fort Wayne and to advise and assist the various departments of the City of Fort Wayne in matters involving relationship between such groups to the end that prejudice, intolerance, bigotry, and discrimination will be eliminated in the City of Fort Wayne.

b) eliminate discrimination in education, employment, public accommodation, and housing based upon sex, race, religion, ancestry, national origin or place of birth.

c) study, investigate and take action in regard to any condition having an adverse effect upon relations between the various races, sexes, creeds and nationalities.

d) institute and conduct educational and other programs intended to promote the equal rights and opportunities of all persons.

e) solicit the cooperation of the various racial, ethnic, and religious groups within the community in order to improve the quality of communications and understanding within the community.

f) stimulate private and governmental departments and agencies to develop and foster meaningful programs in support of the objectives and purposes of the Metropolitan Human Relations Commission.

g) insure the equal protection of all persons and to insure the full availability of all rights and privileges of citizenship to all persons.

SECTION 2. Sections 2, 3, 4d and 5 of Article 3 of Ordinance No. G-85-70 are amended to read as follows:

Section 2.

a) The Commission shall consist of seven (7) members:

(i) one of whom shall be appointed by the Common Council from among its members at the annual meeting for the election of officers of the Council, and

(ii) six of whom shall be appointed by the Mayor.

b) The member appointed by the Common Council shall serve until the next annual meeting for the election of officers of the Council and members appointed by the Mayor shall serve, until December 31 of the second full year following the year of their appointment.

Section 3 - Qualifications of Members

a) All members shall be residents of the City of Fort Wayne, The Mayor shall make only those appointments which insure:

(i) that members are persons who have demonstrated a commitment to the purposes for which the Commission is created and

(ii) that the Commission is broadly representative of the community in regard to race, religion, national origin, sex and political affiliation.

b) It shall be the duty of the Mayor publicly to solicit suggestions for Commission appointments from organizations having an interest in the improvement of intergroup relations in the community and to give thoughtful consideration to the appointment of persons so suggested.

Section 4 (d). The Mayor shall, at any time, have the right to remove any member of the Commission (other than the member appointed by the Common Council) with or without cause.

Section 5 - Powers and Duties. The Commission shall have the following powers and duties:

a) All powers that may lawfully be conferred upon the Commission pursuant to applicable provisions of Indiana Law (IC-1971 22-9-12) including, specifically, the power to investigate, conciliate, and hear complaints, subpoena and compel the attendance of witnesses and the production of pertinent documents and records, administer oaths, examine witnesses, appoint a hearing examiner or panel, make findings and recommendations, issue cease and desist orders requiring remedial action, institute actions for appropriate legal or equitable relief in the circuit or superior court.

b) The Commission shall meet monthly in a public facility beginning an hour not earlier than 7:00 P.M. nor later than 10:00 P.M. It shall be the duty of the Executive Director of the Commission to notify the news media concerning such meetings not less than 72 hours prior to the

time of such meetings. All meetings of the Commission shall be open to the public.

- c) The Commission shall receive and investigate charges of discriminatory practices and, if it appears that reasonable grounds exist for the charges, the Commission shall accept a complaint or the director may make a complaint, which complaint shall be in writing and verified. If a complaint has been made, the Commission may hold hearings and make an investigation of the complaint, which investigation shall be conducted by the Commission or by the director of its staff.

- d) The Commission shall endeavor to keep itself fully informed concerning the studies and findings of private organizations in respect to the practices falling within the Commission's jurisdiction.

- e) Annual Report. The Commission shall render an annual report of its doings to the Mayor and to the Common Council and shall render such other additional reports as the Mayor or the Council may from time to time request. The reports shall describe, in detail, the investigations and conciliation proceedings it has conducted and their outcome, the progress made, and any other work performed and achievement toward the elimination of discrimination.

SECTION 3. Article 4 of Ordinance No. G-85-70 is hereby amended by adding a new Section 7 which reads as follows:

Section 7. Discrimination in Education. It shall be unlawful for any person, establishment or governmental agency regularly engaged in the offering of educational services to discriminate against any one because of race, sex, color, or national origin except that an educational facility operated by or affiliated with a religious organization may discriminate on the basis of religious affiliation.

James Stier
Councilman

Read for the reconsideration motion in full and on motion by D. Schmidt seconded by Burns and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
Burns, D. Schmidt
Nays: Six
Hinga, Kraus, Moses, V. Schmidt, Stier, Talarico
Absent: One
Nuckols

Date: 7-11-72

Charles W. Westerman
City Clerk by
Melvin G. Honeck
Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-12-72 on the 11th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk by
Melvin G. Honeck
Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 17th day of July, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 17th day of July, 1972, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, William T. Hinga, moved to suspend the rules on passage of BILL NO. S-72-07-15, at this meeting of July 25, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman, Donald Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

Charles W. Westerman
City Clerk

BILL NO. S-72-08-15

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance fixing the salaries of each

and every appointive officer, employee, deputy, assistant, and departmental and institutional head of the City of Fort Wayne, Indiana for the year 1973 have had said Ordinance under consideration and beg leave to report back at the Common Council that said Ordinance DO PASS.

William T. Hinga
Winfield Moses, Jr.
Samuel J. Talarico
Paul "Mike" Burns
James Stier

Concurred in 7-25-72

Charles W. Westerman
City Clerk

BILL NO. S-72-07-15

SPECIAL ORDINANCE NO. S-61-72

AN ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne, Indiana for the year 1973.

WHEREAS, the Mayor of the City of Fort Wayne has fixed the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne for the year 1973 and submitted a report of the same for the action and approval of this Council: and

WHEREAS, the Board of Public Works, as the administrative authority in control of the Parking Meter Fund and the City Parking Garage Fund, has fixed certain compensation for a certain appointive officer and departmental head and employees for the year 1973 to be paid out of the Parking Meter Fund and the City Parking Garage Fund, which action by said board has been approved by the Mayor of the City of Fort Wayne and has been submitted by him to this Council by written report for its approval; and

WHEREAS, it is the purpose and intention of this ordinance to approve the aforesaid salaries and additional compensation so fixed:

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That from and after the first day of January, 1973, the following appointive officers, employees, deputies, assistants and departmental and institutional heads of the City of Fort Wayne shall receive the following salaries per year, payable bi-weekly in installments to-wit:

COMMON COUNCIL

Councilman----- \$ 4,200

OFFICE OF THE MAYOR

Mayor----- \$22,500
Administrative Assistant----- 16,400
Executive Secretary----- 8,500
Clerk Typist----- 7,500
Receptionist----- 6,000

OFFICE OF THE CONTROLLER

Controller----- \$17,200
Deputy Controller----- 14,130
Cost Accountant----- 12,000
Federal Funds Auditor----- 12,000
Executive Secretary----- 7,600
Bookkeeper - Machine Operator----- 7,200
Accounting Clerk I----- 6,710
Accounting Clerk II----- 6,370
Payroll Clerk----- 6,710
City-County Bookkeeper----- 3,919

DEPARTMENT OF PURCHASING

Director of Purchasing----- \$16,250
Assistant Director (Civil City)----- 12,500
Assistant Director (City Utilities)----- 10,000
Buyer----- 9,500
Clerk Typist I----- 6,169
Clerk Typist II----- 5,554

OFFICE OF THE CITY CLERK

City Clerk----- \$12,000
Deputy City Clerk----- 6,710

Secretary-----	\$ 6,710
Clerk-----	5,592

THREE RIVERS COORDINATING COUNCIL

Executive Director-----	\$12,715
Planner I-----	9,624
Technician-Draftsman-----	8,387
Administrative Assistant-----	6,682
Environmental Control Planner-----	12,500

From and after the first day of January, 1973, the salaries of the following employees, (Executive Director, Planner I, Technician-Draftsman, Administrative Assistant & Attorney) who are members of the staff of the Three Rivers Coordinating Council, shall be paid according to the terms of an agreement between the duly elected officials, of the City of Fort Wayne, the County of Allen, and the City of New Haven as follows: The City of Fort Wayne shall pay 45 percent of said salaries; the County of Allen 45 percent; and the City of New Haven 10 percent.

DEPARTMENT OF URBAN AFFAIRS

Co-Ordinator of Urban Affairs-----	\$14,217
Secretary-----	6,710
Assistant Co-Ordinator of Urban Affairs-----	9,000

METROPOLITAN HUMAN RELATIONS COMMISSION

Executive Director-----	\$15,750
Community Relations Representative-----	10,334
Secretary-----	6,710
Clerk-----	5,592

CIVIL DEFENSE DEPARTMENT

Executive Director-----	\$12,500
Clerk-Typist-----	6,169
Secretary (Part-Time)-----	3,614

BOARD OF PUBLIC WORKS

Chairman of Board-----	\$16,576
Member of Board-----	16,400
Administrative Assistant-----	11,500
Clerk to Board-----	10,335
Human Resources Coordinator-----	9,500
Director Informantion and Complaints-----	9,300
Board of Works Inspector "A"-----	9,000
Bookkeeper-----	6,710
Secretary "A"-----	7,200
Secretary "B"-----	6,800
Minute Record Clerk-----	6,710
Clerk Typist "A"-----	6,256
Clerk Typist "B"-----	\$ 5,963
Parking Administrator xx-----	10,985
EEO Officer-----	10,000

BUILDING DEPARTMENT

Building Commissioner-----	\$14,260
Relocation and Minimum Housing Commissioner-----	14,000
Deputy Building Commissioner-----	12,013
Assistant Building Commissioner-----	11,050
Building Inspector-----	11,371
Assistant Building Inspector-----	10,729
Electrical Inspector-----	11,371
Assistant Electrical Inspector-----	10,729
Piping Inspector-----	11,371
Plumbing Inspector-----	11,371
Assistant Plumbing Inspector-----	10,729
Sign Inspector-----	10,729
Heating Inspector-----	11,371
Minimum Housing Inspector-----	9,087
Secretary-----	6,710
Clerk-Dispatcher-----	6,556
Clerk Typist-----	5,592
Clerk Typist-----	5,467

CITY PARKING LOT

Attendant----- \$ 6,590

ENGINEERING DEPARTMENT

Street Engineer----- \$14,350
 Administrative Assistant----- 12,800
 Secretary----- 7,098
 Clerk Typist----- 5,466
 Engineer 3-C----- 11,904
 Engineer 3-B----- 11,583
 Engineer 3-A----- 11,270
 Engineer 3----- 10,958
 Engineer 2-C----- 10,647
 Engineer 2-B----- 10,334
 Engineer 2-A----- 10,023
 Engineer 2----- 9,710
 Engineering Aide, Grade C-3----- 9,398
 Engineering Aide, Grade C-2----- 9,087
 Engineering Aide, Grade C-1----- 8,774
 Engineering Aide, Grade C----- 8,463
 Engineering Aide, Grade B-3----- 8,150
 Engineering Aide, Grade B-2----- 7,838
 Engineering Aide, Grade B-1----- 7,526
 Engineering Aide, Grade B----- 7,214

PARKING METER OPERATIONS

Repair & Maintenance Man----- \$ 8,375
 Parking Control Officer----- 9,000

STREET DEPARTMENT

Street Commissioner xxx----- \$12,830
 Superintendent of Street Resurfacing & Inspection xxx----- 12,500
 Assistant Street Commissioner xxx----- 9,710
 Bookkeeper and Payroll Clerk xxx----- 5,964
 Clerk Typist xxx----- 5,467

ASPHALT PLANT & LABORATORY

Superintendent & Chemist xxx----- \$ 9,910

BOARD OF PUBLIC SAFETY

Director, Board of Safety----- \$16,576
 Executive Secretary----- 9,523
 Office Secretary----- 6,710
 Board Member - Part-Time (2)----- 3,295

COMMUNICATIONS DEPARTMENT

Chief of Communications----- \$12,483
 Assistant Chief of Communications----- 10,958
 Administrative Assistant----- 10,334
 Senior Technician----- 10,334
 Radio Technician----- 10,085
 Sergeant----- 9,710
 Dispatchers----- 9,087
 Secretary----- 6,169
 Dispatcher - First Six Months----- 8,463
 Trainee----- 7,500

FIRE DEPARTMENT

Fire Chief----- \$15,950
 Assistant Chief----- 12,483
 Fire Prevention Chief----- 12,483
 Chief, Technical Services----- 10,958
 Deputy Fire Prevention Chief----- 10,958
 Instructor----- 10,958
 District Chief----- 10,958
 Platoon Captain----- 10,334
 Captain of Mechanics----- 9,710
 Captain----- 9,710
 Lieutenant----- 9,336
 Fireman----- 9,087
 Fireman - First Six Months----- 8,463

Office Secretary: Accounting Clerk II-----	\$ 6,370
First Class Mechanic (Civilian)-----	8,463

From and after the first day of January, 1973, each member of the Fort Wayne Fire Department who performs 24 hour's service, beginning with the shift going on duty at 7 A.M. and working for the remainder of the day on the holidays of New Years's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving, December 24, and Christmas Day, shall be paid \$30,00 over and above his regular salary for each said holiday said member of the Fire Department shall work.

POLICE DEPARTMENT*

Chief of Police-----	\$15,950
Deputy Chief-----	12,483
Inspector-----	11,725
Captain-----	10,958
Lieutenant-----	10,334
First Sergeant-----	9,836
Detective Sergeant-----	9,710
Patrol Sergeant-----	9,710
Desk Sergeant-----	9,836
Patrolman-----	9,087
Patrolman - First Six Months-----	8,463
Office Secretary-----	6,169
Office Clerk-----	5,592
First Class Mechanic (Civilian)-----	9,087
Second Class Mechanic (Civilian)-----	8,463
Mechanic's Helper (Civilian)-----	8,212
Wash & Gas Man (Civilian)-----	7,214
Police Cadets-----	7,284
Police Legal Advisor-----	16,400

From and after the first day of January, 1973, each member of the Fort Wayne Police Department who performs a full eight hour's service during the holidays of New Years's Day, Easter, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Christmas Day, and Birthday, shall be given one full day of vacation as compensatory time for having worked during one or more of the above holidays, and said vacation shall be in addition to all other vacations provided for members of said Police Department.

TRAFFIC ENGINEERING DEPARTMENT

Traffic Engineer-----	\$15,373
Assistant Traffic Engineer-----	12,456
Engineering Aide, Grade C-2-----	9,037
Draftsman, Engineer-----	8,463
Survey Technician-----	7,838
Secretary-----	6,169
Clerk Typist, Grade 5-----	5,592
Clerk Typist, Grade 5-----	5,467

*Salaries Amended As Per Section 4 and Section 5.

Sign & Marking Supervisor-----	\$10,334
Painter, 1st Class-----	7,977
Painter, 2nd Class-----	7,339
Painter, 3rd Class-----	6,989
Painter, 4th Class-----	6,639
Signal Superintendent-----	11,583
Signal Foreman-----	10,334
Signal Procurement & Stores Technician-----	10,085
Signal Electrician-----	10,085
Computer Programer-----	9,980
Computer Operator-----	8,776
Signal Apprentice-Class Eight-----	6,191
Signal Apprentice-Class Seven-----	6,678
Signal Apprentice-Class Six-----	7,165
Signal Apprentice-Class Five-----	7,651
Signal Apprentice-Class Four-----	8,138
Signal Apprentice-Class Three-----	8,625
Signal Apprentice-Class Two-----	9,112
Signal Apprentice-Class One-----	9,598

DEPARTMENT OF PUBLIC PARKS

Superintendent of Recreation & Parks-----	\$16,574
Assistant Superintendent of Recreation-----	12,207
Assistant Superintendent of Parks-----	12,207
Business Manager & Secretary-----	12,207
Park Supervisor "A"-----	10,334
Park Supervisor "B"-----	9,710
Park Supervisor "C"-----	9,087
Director of Zoo-----	11,585
Park Service Director-----	10,334
Assistant Park Service Director-----	10,085
Park Service Officer "A"-----	9,461
Park Service Officer "B"-----	9,211
Park Service Officer "C"-----	9,087
Recreation Leader-----	6,091
Bookkeeper & Office Manager-----	7,229
Stenographer-----	6,710
Clerk "B"-----	5,592
Clerk "A"-----	5,964

CITY PLAN COMMISSION

Executive Director-----	\$16,574
Administrative Assistant-----	11,000
Planning Technician-----	9,336
Project Planner-----	8,837
Draftsman, Grade A-----	8,463
Office Secretary A-----	6,710
Office Secretary B-----	6,169
Physical Planner-----	12,000
Urban Renewal Planner-----	16,000
Economic Planner-----	\$16,000
Social Planner-----	14,000
C.R.P. Project Director-----	14,350
C.R.P. Project Technician-----	10,000
Citizen Participation Specialist-----	12,000
Citizen Participation Assistant-----	9,000

HUMANE COMMISSION

Chief Humane Officer-----	\$10,958
Humane Officer-----	9,087
Clerk-Dispatcher-----	6,556
Kennelman-----	6,429
Clerk-----	5,963

WEIGHTS & MEASURES DEPARTMENT

Inspector-----	\$10,264
Assistant Inspector-----	7,838

DEPARTMENT OF PUBLIC HEALTH

City Health Officer-----	\$ 7,107
Assistant City Health Officer, Chief Inspector-----	16,574
Bacteriologist, Inspector-----	12,207
Assistant Bacteriologist, Inspector-----	10,334
Deputy Chief, Inspector-----	12,483
Captain, Inspector-----	10,958
Lieutenant Inspector-----	10,334
Sergeant, Inspector-----	9,710
Sanitary Officer-----	9,087
Public Health Nurse "A"-----	7,963
Public Health Nurse "B"-----	7,850
Public Health Nurse "C"-----	7,399
Parochial School Nurse-----	7,963
Nurse, Venereal Disease Clinic-----	8,910
Registrar-----	7,098
Assistant Registrar "A"-----	6,169
Assistant Registrar "B"-----	5,964
Office Secretary-----	6,169
Office Secretary, Bookkeeper-----	6,710
Clinic Director-----	5,343
Assistant Office Secretary-----	5,964
Laboratory Assistant-----	5,964
School Physician-----	2,596
Dentist - Parochial School-----	2,596
Switchboard Operator & Clerk-----	5,592
Registration Clerk A-----	5,592
Registration Clerk B-----	5,467
Public Health Educator "A"-----	10,200
Public Health Educator "B"-----	9,200

OFFICE OF THE CITY ATTORNEY

City Attorney-----	\$14,217
Associate City Attorney-----	9,710
Office Secretary-----	7,100
Associate City Attorney - City Council-----	11,906

SECTION 2. (xx) That from and after the first day of January, 1973, the yearly compensation of the Parking Administrator, in the amount of \$10,958, shall be paid in bi-weekly installments; two thirds, or \$7,309 shall be paid from the Parking Meter Fund, and one-third, or \$3,649 shall be paid from the City Parking Garage.

WHEREAS, the accounting records of the City Parking Garage have been transferred to the Board of Public Works and assigned to the Minute Record Clerk as an additional duty, it is deemed appropriate to compensate said employee and additional compensation in the sum of \$416 per annum to be paid from the Parking Meter Fund, and said additional compensation is hereby authorized.

SECTION 3. (xxx) That from and after the first day of January, 1973, the yearly compensation of the Street Department & Asphalt Plant & Laboratory shall be paid from the proceeds of the Motor Vehicle Highway Funds received by the City.

*SECTION 4. All sworn officers, up to and including Captains, regularly assigned to "B" and "C" shifts of the Fort Wayne Police Department, shall receive a shift differential as follows:

1. Those regularly assigned to "B" shift, or any shift beginning between 12 Noon and 3:00 P.M., shall have added to their regularly determined earnings 5% of the base patrolman's salary for such pay period.
2. Those regularly assigned to "C" shift, or any shift beginning between 9:00 P.M. and 12 Midnight, shall have added to their regularly determined earnings 10% of the base patrolman's salary for such pay period.

Those eligible for the shift differential shall not include Patrolmen with less than six months seniority, civilian employees, any officers regularly assigned to the Communications Department, the City Board of Health, or the Department of Traffic Engineering.

In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes annotated Section 48-6403, be considered as including the shift differential for police pension purposes.

*SECTION 5. All sworn personnel of the Fort Wayne Police Department being regularly employed as police officers shall receive a monetary incentive for successfully completing courses at an accredited college or university as follows:

1. From 1-60 semester hours, or 1-90 quarter hours the officer shall receive a bonus of \$10 per year for every semester or quarter hour completed.
2. In excess of 60 semester hours or 90 quarter hours, the officer shall receive a bonus of \$5 per year for every semester hour completed.
3. An additional bonus of \$300 per year shall be granted to all officers receiving a four-year baccalaureate degree or its equivalent. Those receiving a two-year associate degree or its equivalent, shall receive a bonus in the amount of \$150. In no case shall the bonus for an earned degree exceed \$300, or a total bonus for any one officer exceed \$1,500.
4. Those attending police-oriented seminars, conferences, institutes, or schools shall receive $\frac{1}{2}$ semester hour or $\frac{3}{4}$ quarter hour of credit upon successful completion of the course.

The bonuses shall be added to the officer's regularly determined earnings. In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Annotated Section 48-6403, be considered as including the educational bonus for police pension purposes.

Those eligible for the educational incentive program shall not include officers regularly assigned to the Communications Department, the City Board of Health or the Department of Traffic Engineering.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 7-25-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-61-72 on the 25th day of July, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1972, at the hour of 1:30 o'clock P.M. E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July, 1972, at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-07-13

RESOLUTION NO. R-32-72

RESOLUTION authorizing payment for
repairs to City-owned vehicle.

WHEREAS, Squad Car #6 was damaged in an accident April 5, 1972 at the intersection of South Hanna and U.S. 27; and

WHEREAS, settlement in the amount of \$739.75 was paid by Home Mutual Insurance Company, to the City Controller's Office, which money was receipted in to the General Fund; and

WHEREAS, Jim Kelley Buick, Inc. has submitted an estimate in the amount of \$739.75, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$739.75 to Jim Kelley Buick, Inc. for repairs to Squad Car #6.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana No. R-32-72 on the 25th day of July, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July 1972 at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-07-14

RESOLUTION NO. R-33-72

RESOLUTION authorizing transfer of funds within
the 1972 Budget of the Department of Public Health.

WHEREAS, it is necessary to establish a revolving fund to make operating cash available for the Federal Venereal Disease Program of the Department of Public Health.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to transfer the following sums from the 1972 budget of Account Nos. as follows:

Acct. #9-2-213
Travel Expense \$ 400.00

Acct. #9-3-34
Hospital for V.D. Cases. 950.00

Acct. #9-7-721
Furniture and Fixtures 1,377.38

Acct. #9-7-722
Motor Equipment 1,708.27

to a revolving fund for the Federal Venereal Disease Program of the 1972 Budget of the Department of Public Health.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Bruns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-33-72 on the 25th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July 1972 at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, Eugene Kraus, Jr., moved to suspend the rules on passage of BILL NO. S-72-05-08, at this meeting of July 25, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman, James Stier, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

Charles W. Westerman
City Clerk

BILL NO. S-72-07-08

SPECIAL ORDINANCE NO. S-60-72

AN ORDINANCE approving a certain bid document with General Truck Sales Corp. for G.V.W. Van Truck.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference NO. 456 dated May 18, 1972 between the City of Fort Wayne, by and through its Mayor and the Fort Wayne Humane Commission, and GENERAL TRUCK SALES CORP., for

1 - 5000 lbs. maximum G.V.W. Van Truck

as more specifically set forth in said bid document Reference No. 456 and Purchase Order No. 3-07577, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-60-72 on the 25th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July, 1972 at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-06-21

RESOLUTION NO. R-31-72

RESOLUTION of commitment to a 4-C
(Community Co-ordinated Child Care)
Program for the City of Fort Wayne,
Indiana.

WHEREAS, in our community, there are mothers, who are working for economic reasons, and lack the resource to pay for adequate care and are frequently forced to leave the care and protection of their children to chance and,

WHEREAS, there are mothers receiving Aid to Dependent Children who desire to work and who are unable to do so because there is no way to care for their children, and

WHEREAS, that when no service for child care exists, some families make poor or dangerous arrangements, and

WHEREAS, the (Community Coordinated Child Care) Program is a system to coordinate the various child care programs and lead to more effective planning, continuity of service to child and family, more efficient use of local sources, better utilization of Federal, State, and local funds in reduced administration costs, and

WHEREAS, a steering committee has been formed to submit a proposal to the 4-C State Committee and the 4-C Federal Regional Committee and,

WHEREAS, the coordinated efforts of all agencies both public and private are required to achieve acceptance as a recognized 4-C Community.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That it does hereby endorse and support the development for a 4-C Program, and commit itself to the full achievement of this program.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-31-72 on the 25th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July 1972 at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, Paul "Mike" Burns, moved to suspend the rules on passage of BILL NO. S-72-07-02, at this meeting of July 25, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman, William T. Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

Charles W. Westerman
City Clerk

BILL NO. S-72-07-02

SPECIAL ORDINANCE NO. S-59-72

AN ORDINANCE approving a contract with MACK'S TRUCK EQUIPMENT for (1) line body for new truck for Light Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated June 23, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and MACK'S TRUCK EQUIPMENT, for:

(1) Line body for new truck

for a total cost of \$6,195.00, all as more particularly set forth on City Utilities Purchase Order No. 6541, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-59-72 on the 25th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July, 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July, 1972 at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

WITHDRAWAL OF GENERAL ORDINANCE NO. G-71-01-11

On motion by Councilman Talarico, Bill No. G-71-01-11 seconded by Hinga:

AN ORDINANCE prohibiting the sale, lending or exhibition of harmful materials to minors and imposing penalties.

That this ordinance No. G-71-01-11 is hereby withdrawn for no further action by the Common Council of the City of Fort Wayne, on Bill No. G-71-01-11. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

WITHDRAWAL OF GENERAL ORDINANCE NO. G-71-01-12

On motion by Councilman Talarico, Bill No. G-71-01-12 seconded by Hinga:

AN ORDINANCE prohibiting the sale, distrubution, advertisement, promotion, or exhibition of obscene matter or public performances in the City of Fort Wayne, Indiana, and providing penalties.

that this ordinance No. G-71-01-12 is hereby withdrawn for no further action by the Common Council of the City of Fort Wayne, on Bill No. G-71-01-12. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

WITHDRAWAL OF GENERAL ORDINANCE NO. G-72-06-22

On motion by Councilman Talarico, Bill No. G-72-06-22 seconded by Hinga:

AN ORDINANCE pertaining to obscene matter.

that this ordinance No. G-72-06-22 is hereby withdrawn for no further action by the Common Council of the City of Fort Wayne, on Bill No. G-72-06-22. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. G-72-06-23

GENERAL ORDINANCE NO. G-13-72

AN ORDINANCE repealing Chapter 19, Section 14.1 of the Municipal Code of the City of Fort Wayne and declaring public nuisances applicable to certain acts and places and prescribing penalties therefor and abatement thereof.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following are hereby declared public nuisances:

Any place, room, restaurant, tavern, store, club, theater, or other premises, indoor or outdoor, including, by way of illustration and not of limitation, any mobile home, any motor vehicle, and field, regardless of whether or not the primary purpose of such establishment authorized and or licensed by any federal, state or local authority, which

(a) Is open to members of the public at large, regardless of whether admission is charged and regardless of whether admission is restricted to adults or to members of one sex or another;

(b) Is open to members of one or more groups, incorporated or unincorporated;

and in which any of the following occurs,

(c) Conduct which violates the statutes of the State of Indiana pertaining to the sale and consumption of alcoholic beverages;

(d) Acts of prostitution;

(e) Acts of bestiality;

(f) Acts of sodomy;

(g) Gambling;

(h) The sale of and/or indulgence and drug misuse of drugs, narcotic drugs, dangerous drugs and harmful substances as those terms are defined in violation of the Indiana Drug Act and other statutes of the State of Indiana and amendments thereto;

SECTION 2. Anyone who owns, leases, manages and/or controls premises which are found to be a public nuisance under the provisions of Section 1 hereinabove shall be guilty of a misdemeanor and shall be subject to imprisonment for a term not to exceed six months, and to payment of a fine not to exceed \$500.00 and to payment of costs. Anyone frequenting or patronizing such premises shall be guilty of a misdemeanor and shall be subject to imprisonment for a term not to exceed three months, to payment of a fine not to exceed \$250.00 and to payment of costs.

SECTION 3. It shall constitute a public nuisance under the provisions of Section 1 and Section 2 hereinabove, and upon finding, judgement and conviction by a court of competent jurisdiction that there is a violation of any of the provisions of said Sections hereinabove, it shall be the duty of the police department or any member thereof, or any peace officer under direction and warrant from said court to cause such public nuisance to be abated and to assess the expense incident to such abatement either by causing them to be placed on a tax duplicate or by suit for foreclosure of a lien which is specifically given to the City of Fort Wayne by filing a notice thereof in the Office of the Recorder of Allen County, Indiana.

SECTION 5. If any section, clause, sentence, paragraph, part, or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 6. Chapter 19, Section 14.1 of the Municipal Code of the City of Fort Wayne, Indiana is hereby repealed.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Talarico seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-13-72 on the 25th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of July 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July, 1972 at the hour of 1:45 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-06-25 (Amended)

GENERAL ORDINANCE NO. G-14-72

AN ORDINANCE pertaining to obscene matter.

WHEREAS, purveyors of obscene matter have sought to exploit the constitutional rights of individuals by using said rights as a screen for the dissemination within the city limits of the City of Fort Wayne, Indiana of matter which adds nothing to the store of human knowledge or ideas but which is intended to, and does, appeal to the basest desires of those to whom it is exhibited; and

WHEREAS, the dissemination of such matter is not prohibited by the Constitution of either the United States or the State of Indiana; and

WHEREAS, the dissemination of such matter is an activity against which a society may protect itself just as it may protect itself against other activities which the community finds objectionable;

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Definitions.

As used in this Ordinance:

- (a) "Obscene" means that to the average person, applying contemporary standards, the predominant appeal of the matter, taken as a whole, is to prurient interest, i.e., a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters and is matter which is utterly without redeeming social importance.
- (b) "Matter" means any book, magazine, newspaper, or other printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription or mechanical, chemical or electrical reproduction or any other articles, equipment, machines, or materials.
- (c) "Person" means any individual, partnership, firm, association, corporation, or other legal entity.
- (d) "Distribute" means to transfer possession of, whether with or without consideration.
- (e) "Knowingly" means having knowledge that the matter is obscene.

SECTION 2. Every person within the city limits of the City of Fort Wayne, Indiana, who knowingly prepares, publishes, prints, exhibits, distributes, or offers to distribute, or has in his possession with intent to distribute or to exhibit or offer to distribute, any obscene matter, is guilty of a misdemeanor.

SECTION 3. The penalty upon conviction of such misdemeanor shall be a fine not in excess of \$500 and/or confinement in the county jail for a period not to exceed six months.

SECTION 4. Upon a specific finding by a court of competent jurisdiction that any person is conducting his or its business in violation of Section 2 of this Chapter, said Court shall refer the matter to the City Attorney, who may without further direction from the Court file appropriate proceedings for the abatement of the same which is hereby declared to be a nuisance and for the forfeiture of contraband used in or arising out of such illegal business.

SECTION 5. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: July 25, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-14-72 on the 25th day of July, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, INdiana, on the 26th day of July, 1972 at the hour of 1:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of July, 1972 at the hour of 1:45 o'clock P.M., E.S.T.

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred a contract with GENERAL TELEPHONE COMPANY OF INDIANA for payment of damages to underground telephone cable by Water and Light Construction Departments have had said ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga, Chairman
Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

BILL NO. S-72-07-03

SPECIAL ORDINANCE NO. S-63-72

AN ORDINANCE approving a contract with
GENERAL TELEPHONE COMPANY OF INDIANA
for apyment of damages to underground
telephone cable by Water and Light
Construction Departments.

BE IT ORDAINED BY THE OCMMON COUNICL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated June 30, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL TELEPHONE COMPANY OF INDIANA, for:

Damages to Underground Telephone Cable

for a total cost of \$7,631.62, all as more particularly set forth on City Utilities Purchase Order No. 5969, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga, Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-63-72 on the 8th day of August, 1972.

ATTEST

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August, 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-08-11

RESOLUTION NO. R-36-72

RESOLUTION authorizing payment for
reapir of Planter at 2500 Maple Place.

WHEREAS, Thomas D. Oswald, in an accident, damaged the planter at 2500 Maple Place; and

WHEREAS, settlement in the amount of \$224.25 was paid by the Economy Fire and Casualty Co. to the Controller's Office, which money was received into the General Fund; and

WHEREAS, Lockhart Construction, Inc. has submitted an invoice for \$224.25 for said repair;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1) That the City Controller is authorized to pay the sum of \$224.25 to Lockhart Construction, Inc. for repairs to the Planter at 2500 Maple Place.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, INdiana as Resolution No. R-36-72 on the 8th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August, 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-08-12

RESOLUTION NO. R-35-72

A RESOLUTION providing authorization for the transfer of certain funds in the City Controller Budget.

WHEREAS, there exist in the City of Fort Wayne, Indiana a growing weed problem, affecting the physical health of the inhabitants of said City, and blighting aesthetic beauty of said City which affects property values throughout said City where weeds have become a problem; and

WHEREAS, weeds are becoming evermore prevalent in said City.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a fund transfer of \$2500 from account #264 Computer Service and rental under services contractual in the City Controller budget be transferred to account #265 Weed Control, being a new account under services contractual in the City Controller budget.

SECTION 2. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-35-72 on the 8th day of August, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-05-13

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-2 District under the terms of chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Zoning Map No. AA9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot No. 51 Archer Heirs Addition, Plat Book No. 4 Page 1.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus,
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Lost by the following vote:

Ayes: One
Burns
Nays: Seven
Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-05-20

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3b District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

W. 28' of Lot #478 and Lots #479, 480, 481. 482 Hamilton's 4th Addition to the City of Fort Wayne, except that part of Lot 482 in Hamilton's 4th Addition described as follows: Commencing at a point on the south line of said Lot 482 seven (7) feet east of the Southwest corner thereof. Thence running west seven (7) feet to the Southwest corner, thence running North along the West line Eighty Four (84) feet, thence running Southeasterly to the point of beginning.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Moses and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-05-21

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance NO. 2863 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A10 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 542, 543, 544, 545, 546, 546, 548, 549, 550, 551, 552, 553,
554, and Lots 540 and 541 Belmont Addition to the City of Fort
Wayne, Indiana, County of Allen.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus,
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-05-23

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. E-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E-11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 9 in Santa Rosa Place Addition to the City of Fort Wayne, according to the plat thereof, which is a replat of Perry's Suburban Addition recorded in Plat record No. 29, pages 84 and 85 in the Office of the Recorder of Allen County, Indiana on the date of April 14, 1966.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
Burns
Nays: Seven
Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One

Date: August 8, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-06-10

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Area bounded on the south by West State Boulevard, Bounded on the east by St. Marys Avenue, bounded on the north by Clayton Avenue; and Bounded on the West by a line 45' east of and parallel to the east property line of Lots 1 & 12 Thimlar's Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-06-11

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an B1A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance NO. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D-1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Survey of a parcel of land situated in the W 1/2 of the East 1/2 of the NW 1/4 of Section 7, Township 30 North, Range 13 East, Allen County, Indiana described as follows, to-wit: Commencing at a point 14 feet West of the S.W. corner of Lot No. 8 White's Second Addition to Fort Wayne; thence North on a line parallel with the West line of said Lot number 8, White's Second Addition, 150 feet; thence West on line parallel with Winch Street, in Winch's 3rd Addition, 140 feet to Wabash Avenue, 150 feet to the North line of Winch Street, thence East along the North line of Winch Street to the place of beginning, except the North 40 feet thereof and except the South 40 feet thereof, being the property located at 1225 Wabash avenue, Fort Wayne, Indiana. As described by Deed Book #641, Page #601.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus,
Councilman

Read the third time in full and on motion by Kraus seconded by Talarico and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Burns, Nuckols, D. Schmidt, Talarico
Nays: Kraus, Moses, V. Schmidt, Stier
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. R-72-07-17

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred A RESOLUTION providing authorization for the transfer of certain funds from the Aviation Fund of the City of Fort Wayne to specified accounts in the 1972 Budget of the Board of Aviation Commissioners have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Winfield Moses, Jr.
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

BILL NO. R-72-08-10

34-72.
RESOLUTION NO. ~~R-72-34~~

RESOLUTION approving application of City of Fort Wayne for recertification of Workable Program for Community Improvement for the next two years.

WHEREAS, the City of Fort Wayne, Indiana is concerned about improving conditions for all of its citizens; and

WHEREAS, the local government wants to maximize the opportunities for Federal and State assistance in this housing field; and

WHEREAS, the public and private sectors make substantial use of the United States Department of Housing and Urban Development programs; and

WHEREAS, The Workable Program for Community Improvement represents the City's Commitment to continue and improve its efforts in the areas of codes and code enforcement, planning and programming, housing and relocation, and citizen involvement;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the City's application for recertification of the Workable Program for Community Improvement for the next two years is hereby approved subject to possible revisions to meet the next two years is hereby approved subject to possible revisions to meet the requirements of the United States Department of Housing and Urban Development and future improvements during the next two years in the areas of: codes, code enforcement, planning, programming, housing, relocation and citizen involvement by the City Administration and that the Department of Urban Affairs of the City of Fort Wayne is requested to file said application with the United States Department of Housing and Urban Development.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Eugene Kraus, Jr. seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. 72-34 on the 8th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 8th day of August, 1972 at the hour of 10:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 8th day of August, 1972 at the hour of 10:29 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-07-07

SPECIAL ORDINANCE NO. S-64-72

AN ORDINANCE approving a certain bid document with Motorola Communications & Electronics Inc. for (1) Automatic Paging System.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 463 dated July 17, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Communications Department, and Motorola Communications & Electronics, Inc., for

(1) Automatic Paging System \$8,934.00

as more specifically set forth in said bid document Ref. No. 463 and Purchase Order No. 3-08825, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-64-72 on the 8th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972 at the hour of 9:00 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-07-04

SPECIAL ORDINANCE NO. S-67-72

AN ORDINANCE approving a contract with SANITARY HYDRAULICS, INC. for one (1) Sewer Jet Machine for the Water Pollution Control Maintenance Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated July 5, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and SANITARY HYDRAULICS, INC., for:

One (1) Sewer Jet Machine

for a total cost of \$11,264.00, all as more particularly set forth on City Utilities Purchase Order No. 6685, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of The City of Fort Wayne, Indiana as Special Ordinance No. S-67-72 on the 8th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August, 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-07-05

SPECIAL ORDINANCE NO. S-66-72

AN ORDINANCE approving contracts with
BAUER BROTHERS COMPANY, REX CHAINBELT, INC.
and SWECO, INC. for furnishing Screening
Units.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts dated July 11, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BAUER BROTHERS COMPANY, REX CHAINBELT, INC. and SWECO, INC., for:

Furnishing of Screening Units to be used in connection with Terminal Pond no. I.

for a cost of:

Bauer Brothers Company	\$60,500.00
Rex Chainbelt, Inc.	\$39,400.00
Sweco, Inc.	\$138,724.00

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-66-72 on the 8th day of August, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August, 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-07-06

SPECIAL ORDINANCE NO. S-65-72

AN ORDINANCE approving a contract with
INTERNATIONAL HARVESTER COMPANY for two
(2) 1972 Tandem Cab and Chassis GVW for
Water Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated June 2, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and INTERNATIONAL HARVESTER COMPANY, for:

Two (2) 1972 Tandem Cab and Chassis
GVW for Water Construction

for a total cost of \$17,320.24, all as more particularly set forth on City Utilities Purchase Order No. 6620, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance NO. S-65-72 on the 8th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 9th day of August, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August, 1972 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, Paul "Mike" Burns, moved to suspend the rules on passage of BILL NO. S-72-08-16, at this meeting of August 8, 1972 of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Samuel J. Talarico, and duly passed unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

Charles Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-08-16

SPECIAL ORDINANCE NO. S-62-72

SPECIAL ORDINANCE NO. S-62-72

AN ORDINANCE approving a contract with
JOHN DEHNER, INC. for Sewer Resolution
NO. 264-1972.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved July 20, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and John Dehner, Inc. for Sewer Resolution No. 264-1972, as follows:

Commencing on the South right-of-way line of U.S. 30 Bypass and 14 feet \pm East of the Penn Central Railroad right-of-way line; thence South with said railroad right-of-way line 560+ lineal feet to a proposed headwall on an existing open ditch, thence Southeasterly along said open ditch a distance of 2,100+ lineal feet.

Said storm sewer shall be 48 inches in diameter and the required ditch cleaning shall be adequate in size for the necessary drainage therein.

for a total cost of \$43,955.90, as more particularly set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: August 8, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-62-72 on the 8th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of August, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of August, 1972 at the hour of 3:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-08-06

SPECIAL ORDINANCE NO. S-68-72

An Ordinance approving agreement to
Purchase real estate from Seldum and
Carolyn Shields.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement to purchase real estate, dated July 27, 1972, between the city of Fort Wayne, by and through its Mayor and Board of Public Works, and SELDUM and CAROLYN SHIELDS, for the real estate described as follows, to-wit:

The South 24 feet of Lot number 211
in Lewis addition to the City of Fort
Wayne, Allen County, Indiana

(1811 S. Lafayette Street)

for the sum of \$2,700.00, cash to be paid upon the delivery of a good and sufficient Warranty Deed for said real estate, all as more particularly set forth in said Agreement to Purchase, which is by reference incorporated herein and made a part hereof is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayers : Eight
Burns, Hinga, Kraus, Nuckols, Moses, Schmidt, Stier, Talarico.
Nays : None.
Absent: One
V. Schmidt.

Date: August 22, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ordinance NO. S-68-72 on the 22nd day of August 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 23rd day of August 1972 at the hour of 11:00 O'Clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of August 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, William T. Hinga, moved to suspend the rules on passage of BILL NO. S-72-08-27 at this meeting of August 22, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman, Eugene Kraus, Jr. and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE was accordingly placed on its passage.

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-08-27

SPECIAL ORDINANCE NO. S-69-72

AN ORDINANCE authorizing the execution of a deed to the State of Indiana for certain real estate owned by the City of Fort Wayne, Indiana

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

A part of the North Half of the Northeast Quarter of Section 14, Township 31 North, Range 12 East, Allen County, Indiana, described as follows:

Beginning south 89 degrees 35 minutes 00 seconds east 2.644.30 feet along the north line of said half-quarter section and south 0 degrees 14 minutes 00 seconds east 40.00 feet along the west boundary of S.R. 327 from the northwest corner of said half-quarter section; thence south 0 degrees 14 minutes 00 seconds east 572.34 feet along said west boundary; thence south 11 degrees 04 minutes 36 seconds west along said west boundary; thence north 0 degrees 14 minutes 00 seconds west along a line 20.00 feet from and parallel to the

said west boundary 633.00 feet; thence north 49 degrees 21 minutes 36 seconds west 60.75 feet; thence south 89 degrees 35 minutes 00 seconds east 65.65 feet to the point of beginning, containing 0.307 acres, more or less.

The grantor executes this deed for the purpose of improving Cook Road and S.R. 327. Project ACR 671.

and

WHEREAS, this Council has determined that it will be in the best interests of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to the State of Indiana, for the parcel of real estate herein described, such deed to be in the form a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the Seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all the members of the Common Council present and there are present and voting at least two-thirds of all the members elect of said Common Council.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga
Councilman

Approved as to Form and Legality,
John H. Logan
Associate City Attorney

Read this third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico.
Nays: none
Absent: One
V. Schmidt.

Date: August 22, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-69-72 on the 22nd day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of August 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-08-14

GENERAL ORDINANCE NO. G-15-72

AN ORDINANCE creating a Centralized Relocation Agency, and creating a position of Relocation Director and amending Special Ordinance No. S-713-71 by fixing the Salary for such position for the year 1972.

WHEREAS, the Common Council of said City has approved said Memorandum of Understanding by resolution ; and

WHEREAS, the need for such a Centralized Relocation Agency is apparent in view of the number of persons required relocation as a result of local code enforcement and urban renewal; and

WHEREAS, it is apparent that there is need for a director to be in charge of supervising relocation activities; and

WHEREAS, the duties of the Centralized Relocation Agency and the duties of the Minimum Housing Code Compliance Division are mutually compatible and the same officer could efficiently and economically discharge the responsibilities of being in charge of each said office;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created a Centralized Relocation Agency within the Board of Works and subject to the overall control of the Board of Works.

SECTION 2. There is hereby created the office of Relocation Director in charge of said Centralized Relocation Agency. Said office shall be appointed by the Mayor, shall serve at the pleasure of the Mayor and shall receive an annual salary of 14,000 per year.

SECTION 3. The Centralized Relocation Agency shall provide relocation assistance to all persons displaced as a result of local code enforcement or urban renewal, and the Centralized Relocation Agency shall provide property management service for properties acquired by the City of Fort Wayne as a result of urban renewal programs, as set out in the Urban Renewal Handbook as issued by the Department of Housing and Urban Development; the Centralized Relocation Agency shall provide social service counseling and referral assistance to displaced persons in assisting their relocation; the Centralized Relocation Agency shall maintain in its office listings of dwelling units which might be available in connection with the relocation of persons leaving areas which have been acquired by the City as a result of urban renewal programs.

SECTION 4. The minimum Compliance Division shall be responsible for the inspection of units used, or intended to be used for housing, to assure compliance with all applicable statutes, ordinances and regulations enacted, adopted or promulgated by legislative or administrative agencies having authority in the premises.

SECTION 5. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the common council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Winfield Moses, Jr.
Councilman

Read the first time in full and on motion by Moses seconded by V. Schmidt and duly adopted, read the second time by title and referred to the committee on Finance and public hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on Tuesday the 22nd day of August 1972 at 7:30 o'clock P.M., E.S.T.

Date : August 8, 1972

Charles W. Westerman
City Clerk

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent : One
V. Schmidt

Date : August 22, 1972

Charles Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-15-72 on the 22nd day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 23rd day of August, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of August, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-04-24

ZONING MAP ORDINANCE NO. Z-11-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BIB District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-16 referred to therein, established by Section 9, Article 111 of said chapter as amended, are hereby changed accordingly, to-wit:

Part of the North half of the Northeast 1/4 of section 36; Township 30 North; Range 12 East; Allen County, Indiana, more particularly described as follows:

Commencing at a point on the North line of the North 1/2 of the Northeast 1/4 of said Section 36, Township and Range, said point being situated 1188.0 feet East of the Northwest corner of the North half of the Northeast 1/4 of said section 36; thence East along the North line of the North half of the Northeast 1/4 of said section 36 a distance of 505.0 feet; thence South and parallel to the West line of the North half of the Northeast 1/4 of said Section 195.0 feet to point of beginning; containing 2.238 acres of land, and subject to Tillman Road Right-of-way.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: V. Schmidt

Date: August 22, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-11-72 on the 22nd day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of August, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-04-25

ZONING MAP ORDINANCE NO. Z-12-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M-1 district under the terms of Chapter 26, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA-11 referred to therein, established by Section 9, Article 111 of said Chapter as amended, are hereby changed accordingly, to-wit;

Lot # 8, 9, 10, & 11 of Wallywood, Section "A", bounded on the North by Franke Park Drive, on the South by Wallywood Avenue, bounded on the West by part of Lot #14 of Romy's out Lots, bounded on the east by a line 290± L. F. west of and parallel to the centerline of Wells Street.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: August 22, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-12-72 on the 22nd day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of Fort Wayne, Indiana, on the 23rd day of August, 1972 at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of August, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-08-07

SPECIAL ORDINANCE NO. S -70-72

AN ORDINANCE approving Agreement for Sewer Extension between Fort Wayne Community School Building Corporation and City of Fort Wayne, for Sanitary sewer extension known as Northrop High School Sanitary Lateral Sewer Extension.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement for Sewer Extension, finally approved July 26, 1972, between FORT WAYNE COMMUNITY SCHOOL BUILDING CORPORATION, as Developer, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer extension to serve the area known as Northrop High School Sanitary Lateral Sewer Extension, the total cost of said sewer to be paid by Developer, all as more particularly set forth in said Agreement which is on file in the office of the Board of Public Works and is hereby reference incorporated herein and made part hereof, in all things ratified, confirmed and approved.

SECTION 2. The Developer, and any owner or owners of land, their successors in title and assigns, which is now or hereafter located outside the corporate limits of the City of Fort Wayne, Indiana, who connects into the sewer constructed hereunder shall be deemed to hereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by the City of Fort Wayne of such land or of the territory in which such land is located or of the area served by said sewer.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico.
Nays: None
Absent : One
V. Schmidt

Date: August 22, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-70-72 on the 22nd day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of August, 1972 at the hour of 11:00 o'clock A., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of August 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-08-13

GENERAL ORDINANCE NO. G-LOST

AN ORDINANCE providing for the inspection of certain housing to ensure compliance with the Minimum Housing Code before such Housing is sold or rented.

WHEREAS, substandard housing is one of the most serious problems existing in the City of Fort Wayne, Indiana, affecting the physical and mental health of the inhabitants of said City, creating blight which affects property values throughout many sections of the City and which renders the operation of commercial enterprises impracticable in many sections of said City; and

WHEREAS, substandard housing is becoming evermore prevalent in said City; and

WHEREAS, the persons who buy or rent substandard housing units tend to be persons of limited sophistication and with limited financial resources, so that such persons do not always readily perceive the disadvantages to a proposed purchase or lease of real estate and so that any inequity is particularly burdensome to such persons.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. No house within the city limits of the City of Fort Wayne, Indiana which is assessed for tax purposes at a value of \$3,000.00 or less, shall be sold to anyone who intends to use it as a residence, either for himself or for lessees, unless, before the transfer of the deed or before the signing of the contract, if the property is being sold on contract, there has been an inspection by the Minimum Housing Division of said City for the purpose of determining whether the house is in all respects in compliance with the Minimum Housing Code of said City.

SECTION 2. No house within the city limits of the city of Fort Wayne, Indiana, which is assessed for tax purposes at a value of \$3,000.00 or less, and no rooms within any such house, shall be leased, rented, or otherwise turned over for occupancy by anyone intending to use such house for residential purposes or to sub-lease, sub-rent, or otherwise turn the house over to a third person for occupancy as a residence unless the house has been inspected within two weeks of the commencement of the occupancy by the lessee, renter or other occupant, such inspection to be conducted by a representative of the Minimum Housing Division of said City, to insure that the house complies in all respects with the Minimum Housing Code of said City.

SECTION 3. In the event that a house fails to comply with the Minimum Housing Code of said City, the Minimum Housing Division shall place a placard, in a size and form to be selected by said Division, in a prominent place upon the front and back of said house. Said placard will convey the information, that because of such noncompliance, said house may not be sold, leased, rented or otherwise turned over to anyone for occupancy until all defects have been corrected.

SECTION 4. When said house has been brought into such condition that it complies in all respects with the Minimum Housing Code of said City, the Minimum Housing Division of said City shall remove such placards from the back and front entrance.

SECTION 5. It shall be the duty of the owner, vendor, or lessor to apply at the office of the Department of relocation and Minimum Housing for such inspection and pay such fee or fees provided for under Section 7 of this Ordinance.

SECTION 6. It shall be a misdemeanor for anyone other than the Minimum Housing Division of said City to remove such placards. Upon Conviction of such a misdemeanor, the person found guilty shall be fined an amount not to exceed \$500.00 and/or imprisonment for a term not to exceed 30 days.

SECTION 7. The Minimum Housing Division of said City shall charge a fee of \$25.00 for the initial inspection of each house which is inspected pursuant to the requirements of this Ordinance. In the event the house does not comply with the Minimum Housing Ordinance of the City of Fort Wayne upon such an initial inspection, there shall be a fee of \$10.00 for each reinspection until there is such compliance. Provided, that in the event there is not compliance within three months of the date for the initial inspection, then any additional inspection shall be treated as an initial inspection and there shall be a fee of \$25.00.

SECTION 8. This Ordinance shall be in full force and effect from and after passage, approved by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. ~~LOST~~ by the following vote:

Ayes: Three
Kraus, Nuckols, Stier.
Nays: Five
Burns, Hinga, Moses, D. Schmidt, Talarico.
Absent: V. Schmidt

Date: August 22, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-08-05

SPECIAL ORDINANCE NO. S- LOST

AN ORDINANCE approving a contract with BERCOT, INC.
for Sanitary Sewer Improvement Resolution No. 853-1971

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved July 26, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BERCOT, INC. for Sanitary Sewer Improvement Resolution No. 853-1971 in the area of Butler Road, Butler Court and Goshen Road for a total cost of \$217,773.65, the City's estimated share being \$77,078.25, as more specifically set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Zero
Nays: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico.
Absent: V. Schmidt

Date: August 22, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-08-04 (Amended)

SPECIAL ORDINANCE NO. S-71-72

AN ORDINANCE fixing the tax levy for the City
of Fort Wayne for the year 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of \$3.6720 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1973, the same to be divided as follows:

General Fund	\$2.5170
Public Lighting	.1777
Sewer Relief	.0094
Fire Pension	.1892
Police Pension	.1956
Sanitary Officer's Pension	.0096
Park General	.5543
Art Institute	.0075
Redevelopment District Capital	.0061
Redevelopment General	<u>.0056</u>
TOTAL	\$3.6720

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Chairman Finance Committee

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 8-28-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-71-72 on the 28th day of August, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 29th day of August, 1972, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of August, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor

BILL NO. S-72-08-19

SPECIAL ORDINANCE NO. S-76-72

AN ORDINANCE approving a certain bid document with Allen county Tractor Sales, Inc. for (2) Utility Tractors with trade-in.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No 471 dated August 17, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and Allen County Tractors Sales, Inc., for

ITEM 1

1 - Utility Tractor with trade-in \$4,132.05

ITEM 2

1-Utility Tractor with trade-in \$2,528.12

Optional Diesel Engine if requested add \$ 276.00

as more specifically set forth in bid document Ref. No. 471 and purchase order No. 3-09505, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall by full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-76-72 on the 12th. day of September, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972 at the hour of 9:00 O'clock Am., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 O'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman William T. Hinga moved to suspend the rules on passage of BILL NO. G-72-09-10 at this meeting of September 12, 1972, of the Common Council of the City of Fort Wayne, Indiana Said motion was seconded by Councilman, Vivian Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and GENERAL ORDINANCE was accordingly placed on its passage.

September 12, 1972

John Nuckols
Presiding Officer

Charles W. Westerman
City Clerk

Ayer: Nine
 Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier,
 Talarico.
 Nays: None
 Absent: None

Passed and adopted by the Common Council of the City of Fort Wayne,
 Indiana as General Ordinance G-16-72 on the 12th day of September, 1972.

ATTEST: (SEAL) Charles W. Westerman
 City Clerk

BILL NO. G-72-09-10

GENERAL ORDINANCE NO. G-16-72
 AN ORDINANCE AMENDING General Ordinance No. G-07-72.

WHEREAS, hereto fore on April 11, 1972, the Common Council of the City
 of Fort Wayne, Indiana, adopted above numbered Ordinance G-07-72, and

WHEREAS, on April 12, 1972, the Mayor of the City of Fort Wayne,
 Indiana, did approve and sign said Ordinance, and

WHEREAS, said Board of Public Works did file all necessary petitions
 and make showings required to said Public Service Commission of Indiana in public
 hearings for the purpose of seeking approval of said Public Service Commission of
 Indiana of said schedule of rates and charges, and

WHEREAS, the said Board of Public Works has been advised that the
 Public Service Commission of Indiana desires that certain revisions be made in the
 rate schedules now in evidence before the Public Service Commission in Cause No. 32874,
 and it is in the best interests of the City of Fort Wayne City Light & Power Works and
 its customers and patrons that said changes be incorporated in an amendment to an
 Ordinance to be submitted to the Public Service Commission of Indiana;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
 FORT WAYNE, INDIANA THAT:

SECTION 1. Said schedule of rates and charges identified as
 Exhibit A in General Ordinance No. G-07-72 be amended to read as follows:

The energy charge under this rate will be adjusted to
 reflect the same fuel adjustment billed the Utility by
 its present supplier for power purchased during the
 previous calendar month, and in the event that rates
 of the supplier are revised to a 33.00 cents base and
 additional .0315 cents per kwh shall be charged.

The foregoing language shall be substituted for the fuel
 clause language originally presented in Exhibits JB2
 and BP2 for rates CA, PA, PB, RC, and CB.

SECTION 2. Said Board of Public Works is authorized to file all nec-
 essary petitions and make all showings required to said Public Service Commission of
 Indiana in a public hearing for the purpose of seeking approval of said Public Service
 Commission of Indiana of said schedule of rates and charges as so amended.

SECTION 3. This Ordinance is passed upon the same date and at
 the same meeting at which it was introduced and it is passed by unanimous consent
 of all members of the Common Council present, and there are present and voting at
 least two-thirds of all members-elect of said Common Council.

SECTION 4. This Ordinance shall be full force and effect from
 and after its passage and approval by the Mayor.

William T. Hinga
 Councilman

Read the third time in full and motion by Hinga seconded by V. Schmidt
 and duly adopted, placed on its passage. Passed by the following vote:

Ayes : Nine
 Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier,
 Talarico.
 Nays: None
 Absent: None

Date: September 12, 1972 Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,
 Indiana as General Ordinance No G-16-72 on the 12th day of September, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. R-72-09-03

RESOLUTION NO. R-36-72.

A RESOLUTION concerning the introduction of Cable Television into the City of Fort Wayne, Indiana.

WHEREAS, cable television is a rapidly developing and highly complex term of communication, education and entertainment; and

WHEREAS, the City of Fort Wayne, Indiana has no cable television; and

WHEREAS, it is the consideration opinion of the Common Council of said City that the introduction of cable television into said City would be to the best interests of said City and its inhabitants.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. The Board of Works of the City of Fort Wayne submit to the Common Council of said City Specifications for a cable television system within said City.

2. The Board of works of the City of Fort Wayne hold public hearings for the purpose of providing community input to the specifications.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: **Nine**
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.

Date-September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-36-72 on the 12th day of September, 1972.

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S72-08-08

SPECIAL ORDINANCE NO. S-72-72

AN ORDINANCE approving a contract with DIEHL PUMP & SUPPLY COMPANY for furnishing water pumping equipment in connection with Federal Grant Project 11020 GYU, Section III.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved the City of Fort Wayne, by and through its Board of Public Works, and DIEHL PUMP & SUPPLY COMPANY, for

Storm Water pumping equipment in connection with Federal Grant Project 11020 GYU, Section III for a total cost of \$52,889.00, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED BY the following vote:

Ayes: Nine

James L. Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt Stier, Talarico.

Nays : None

Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as special Ordinance No. S-72-72 on the 12th day of September, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne Indiana, on the 13th day of September, 1972-at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972, at the hour of 11:30 O'clock A.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. S72-08-18

SPECIAL ORDINANCE NO. S-75-72

AN ORDINANCE APPROVING a contract with SHAMBAUGH & SON, INC. for construction of the Interim Phosphorous Removal System.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved the 11th day of August, 1972, between the City of Fort Wayne, by and through its Board of Public Works, and SHAMBAUGH & SON, INC., for:

Construction of the Interim Phosphorous Removal System at the Water Pollution Control Plant.

for a total cost of \$48,457.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2.

SECTION 2; This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage . PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt Stier, Talarico.
Nays: None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-75-72 on the 12th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972-at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. S-72-08-20

SPECIAL ORDINANCE NO. S-77-72

AN ORDINANCE approving a certain bid document with Vermeer of Indiana for (1) 1972 Stumper.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 467 dated August 4, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and Vermeer of Indiana, for

(1) 1972 Stumper	\$7,710.00
Less Trade-ins:	<u>1,310.00</u>
Net Price:	\$6,400.00

as more specifically set forth in said bid document Ref. No. 467 and Purchase Order No. 3-09306, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-77-72 on the 12th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, Winfield Moses, Jr., moved to suspend the rules on passage of BILL NO. G-72-09-11, at this meeting of September 12th, 1972, of the Common Council of the City of Fort Wayne, Indiana. said motion was seconded by Councilman William T. Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and GENERAL ORDINANCE was accordingly placed on its passage.
September 12, 1972.

John Nuckols
Presiding Officer

Charles W. Westerman
City Clerk

Ayes : Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Absent: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-17-72.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

BILL NO. G_72-09-11

GENERAL ORDINANCE NO. G_17-72

WHEREAS, on March 15, 1972, the Mayor of the City of Fort Wayne signed General Ordinance No. G-04-72 which, among other things, provided that for six months from and after the effective date of said Ordinance, no building permit would be issued for the construction of establishments where gasoline and/or diesel fuel is transferred from pumps into fuel tanks of cars, trucks and/or vehicles, and

WHEREAS, much time and study has gone into necessary consideration envisioned by said Ordinance but more time is needed to complete study of the result to be accomplished.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That for three months from and after the effective date of this Ordinance no building permits will be issued for the construction of establishments where gasoline and/or diesel fuel are sold to motorists and where gasoline and/or diesel fuel is transferred from pumps into fuel tanks of cars, trucks and/or other vehicles.

SECTION 2. All other provisions and sections of General Ordinance No. G-04-72 are likewise extended for three months from and after the effective date of this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-17-72 on the 12th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne Indiana, on the 13th day of September, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-08-17

SPECIAL ORDINANCE NO. S-74-72

AN ORDINANCE approving an Agreement with BERCOT, INC. for installation of a water main on Cook Road in connection with Water Contract 7211.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA :

SECTION 1. The Agreement approved August 11, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BERCOT, INC. for installation of a water main, to be constructed and installed as follows:

Installation of 1445+ feet of 16 inch and 80+-feet of 4 inch ductile iron pipe to connect with the existing 16 inch water main on the Cook Road to serve the proposed Northrop Bus Garage, also on the Cook Road from the existing main eastward a distance of 260+ feet, all as shown on Fort Wayne Water Utility, Engineering Department Drawing Y-10438, Sheets 1 & 2, and do everything required by the Contract documents and this agreement.

for a total cost of \$22,983.10, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes : Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays : None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special ordinance No. S-74-72 on the 12th day of September, 1972

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972-at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972, at the hour of 11:30 o'clock A.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. S-72-08-21

SPECIAL ORDINANCE NO. S-78-72

AN ORDINANCE approving a certain bid document with General Electric Company for transceivers, Charge rack units and rechargeable batteries.

BE ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 465 dated August 8, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Communications Department, and General Electric Company, for

- 30 - "2 watt" 4 frequently (4 transmit-4 ^{receive} recieve),
tone squelch personal portable transceivers
G.E. Type PE-56-KFU-66 with leather case, strap,
and stub antenna. \$798.00/each \$23,940.00
- or G.E. Type PE-56-KFU-66 with belt clip
and stub antenna. \$787.00/each \$23,610.00
- 60 - Charge rack units in multiple configuration,
(6) G.E. Type 4445 10-unit chargers.
\$187.50/each \$ 1,125.00
- 60 - Rechargeable batteries for same.
G.E. Type 4421 \$ 37.50/each \$ 2,250.00

as more specifically set forth in said bid document Ref. No. 465 and purchase Order No. 3-09308, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier,
Talarico.
Nays: None
Absent: None

Date: September 12th, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-78-72 on the 12th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972-at the hour of 9:00 o'clock A.M., E.S.T..

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. G-72-08-22

REPORT OF THE COMMITTEE ON ANNEXATION

We, your committee on Annexation to whom was referred an Ordinance Repealing Certain Annexation Ordinances withdrawn.

Vivian G. Schmidt--Chairman
Paul M. Burns Vice Chairman
Donald J. Schmidt
Eugene Kraus, Jr.
James S. Stier

BILL NO. S-72-08-09

SPECIAL ORDINANCE NO. S-73-72

AN ORDINANCE APPROVING a contract with
INDUSTRIAL FUEL OILS for 120,000 gallons
of fuel oil.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated August 1, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and INDUSTRIAL FUEL OILS, for:

120,000 gallons fuel oil

for a total cost of \$15,000.00, all as more particularly set forth on City Utilities Purchase Order No. 6952, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-73-72 on the 12th day of September, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1972-at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-09-12

RESOLUTION NO. R-37-72

A RESOLUTION approving Neighborhood Development Program, Annual Increment Thereof and Filing of An Application For Financial Assistance.

WHEREAS, under Title I of the Housing Act of 1949, as amended ("Title I"), the secretary of Housing and Urban Development is authorized to extend financial assistance to local public agencies in the elimination and prevention of the spread of their slums and urban blight through undertakings and activities carried out under a Neighborhood Development Program; and

WHEREAS, the Department of Redevelopment, City of Fort Wayne has prepared and submitted a proposed Neighborhood Development Program and annual increment thereof covering the urban renewal areas described in Schedule A attached thereto; said proposed program and annual increment having been duly reviewed and considered:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. The Neighborhood Development Program and annual increment are hereby approved. The President of the Department of Redevelopment is hereby directed to file a copy of said program and annual increment with the minutes of this meeting.

2. Said Council is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities with Federal financial assistance under Title I, including those relating to: (a) the relocation of site occupants, (b) the provision of local grants-in-aid, and (c) the prohibition of discrimination because of race, color, creed, or national origin.

3. The financial assistance available under Title I is needed to enable the Department of Redevelopment to finance the undertakings and activities proposed in said program and annual increment.

4. The Department of Redevelopment is authorized to file an application for financial assistance to carry out the Neighborhood Development Program and the annual increment thereof.

Eugene Kraus, Jr.
Councilman

John Nuckols
President of Common Council

SCHEDULE A

DESCRIPTION OF URBAN RENEWAL AREA BOUNDARIES

The two urban renewal areas included within the Neighborhood Development Program are located within the City of Fort Wayne, County of Allen and State of Indiana and are described as follows:

East Central Renewal Area (NDP Area No. 1)

Beginning at a point formed by the intersection of the West right-of-way line of Lafayette Street and the north right-of-way line of Main Street; thence east along the north right-of-way line of Main Street; thence east along the north right-of-way line of Main Street to the Norfolk and Western Railroad track; thence easterly along said track to the east right-of-way line of Cooms Street; thence south along said right-of-way line to the north right-of-way line of Wayne Street; thence east along said right-of-way line to the east right-of-way line of University Street, if extended; thence south along said right-of-way line to the northerly right-of-way line of Maumee Avenue; thence easterly along said right-of-way line to the east right-of-way line of Ohio Street; thence south along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to a point 230 feet more or less west of the west right-of-way line of Chute Street; thence south along a line parallel to Chute Street to the south right-of-way line of Hugh Street; thence west along said right-of-way line to the west right-of-way line of Gay Street; thence north along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to the west right-of-way line of Lafayette Street; thence north along said right-of-way line of Main Street, which is the point of beginning.

West Central Renewal Area (NDP Area No. 2)

Beginning at a point formed by the intersection of the north right-of-way line of Berry Street and the east right-of-way line of Fulton Street; thence south along the east right-of-way line of Fulton Street to the north right-of-way line of Jefferson Street; thence east along said right-of-way line to the east right-of-way line of Webster Street; thence south along said right-of-way line to the south right-of-way line of Baker Street; thence west along said right-of-way line for a distance of 20 feet more or less to a point; thence south along a line parallel to the right-of-way line of Webster Street, if extended, to the Penn Central Railroad track; thence west along said track to the centerline of Swinney Park Place; thence north along said centerline to the northerly right-of-way line of Jefferson Street; thence northeasterly along said right-of-way line to the west right-of-way line of Garden Street; thence north for a distance of 75 feet more or less to a point;

thence west along a line perpendicular to Garden Street for a distance of 220 feet more or less to a point; thence north along a line to a point on the south right-of-way line of Washington Street, said point being 165 feet more or less west of the west right-of-way line of Garden Street; thence north along a line to the center of the St. Mary's River; thence northeasterly along said center to the northerly right-of-way line to VanBuren Street; thence south along said right-of-way line to the north right-of-way line of Berry Street; thence east along said right-of-way line to the east right-of-way line of Fulton Street, which is the point of beginning.

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes : Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays : None
Absent : None

Date: September 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-37-72 on the 14th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of September, 1972-at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of September, 1972 at the hour of 10:0'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-09-08

SPECIAL ORDINANCE NO. S-80-72

AN ORDINANCE authorizing the execution of a deed to to the State of Indiana for certain real estate owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana, is the owner of real estate in Allen County, Indiana, described as follows:

Part of Lot #1 in Springwood Addition, Section 1 to the City of Fort Wayne, Allen County, Indiana, more particularly described as follows:

Beginning at the northwest corner of said Lot #1; thence east, a distance of 25 feet; thence in a southwesterly direction a distance of 47. 2+ feet, to a point on the west property line of said Lot #1; thence north along the west property line of said Lot #1, a distance of 40 feet, to the point of beginning.

The grantor executes this deed for the purpose of improving Cook Road and S. R. 327. Project ACR 671, and

WHEREAS, this Council has determined that it will be in the best interests of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to the State of Indiana, for the parcel of real estate herein described, such deed to be in the form of a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the Seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all the members of the Common Council present and there are present and voting at least two-thirds of all the members elect of said Common Council.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga
Councilman

Read the third time in full and on motion by W. Hinga seconded by S. Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, Schmidt, D., Schmidt, V., Stier, Talarico
Nays: None
Absent: None

Date: September 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-80-72 on the 26th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuchols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-09-30

RESOLUTION NO. R-38-72

A RESOLUTION authorizing the temporary advancement of funds from the St. Mary's River Impounding, Sewer Relief, Local Road and Street, Park Trust, Park Cumulative fund (funds) to the Civil City General Fund, Police Pension Fund, Fire Pension Fund and Park General Fund (Funds) for the period ending December 31, 1972.

WHEREAS, it has become necessary to borrow money to enhance the depleted fund (s) of Civil City General Fund, Police Pension Fund, Fire Pension Fund, and Park General Fund of the City of Fort Wayne, and

WHEREAS, there is sufficient money on deposit to the credit of St. Mary's River Impounding, Sewer Relief, Local Road and Street, Park Trust, Park Cumulative fund (s) of the City of Fort Wayne, which can be temporarily advanced or transferred to said Civil City General Fund, Police Pension Fund, Fire Pension Fund, and Park General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Controller of the City of Fort Wayne be and is hereby authorized and directed to transfer the sum of \$1,200,000 from the following accounts:

\$90,000 from Park Trust, \$200,000 from Park Cumulative,
\$240,000 from Local Road and Street, \$240,000 from St.
Mary's River Impounding and \$430,000 from Sewer Relief Fund (s)

to the following accounts:

\$730,000 to the Civil City General Fund, \$230,000 to the Park
General Fund, \$170,000 to the Police Fund, and \$70,000 to the Fire Pension Fund,

Which said sum (s) shall be returned and repaid to the Respective fund (s) on or before
December 31, 1972.

William T. Hinga
Councilman

Read the third time in full and on motion by W. Hinga seconded by W. Moses and duly
adopted, placed on its passage. Passes by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: September 26, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution
No. R-38-72 on the 26th day of September, 1972.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of Sept-
ember, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September 1972 at the hour of 11:30 o'clock
A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman, Eugene Kraus, moved to suspend the rules on
passage of BILL NO. Z-72-09-31, at this meeting of September
26, 1972, of the Common Council of the City of Fort Wayne, In-
diana. Said motion was seconded by Councilman, V.Schmidt,
and duly passed by unanimous vote of all legally elected
members of the said Common Council.

The above Bill and Zoning Ordinance was accordingly placed
on its passage.

Date: September 26, 1972

John Nuckols
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier
Talarico
Nays: None
Absent: None

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as

ATTEST: (SEAL)
Date: September 26, 1972

Charles W. Westerman
City Clerk

BILL NO. Z-72-09-31

ZONING MAP ORDINANCE NO. Z-13-72

AN ORDINANCE Correcting an Ordinance No. Z-05-72
amending City of Fort Wayne Zoning Map No. A-19.

Heretofore, on March 14, 1972, the Common Council of the City of Fort Wayne passed and adopted Ordinance No. Z-05-72, amending the City of Fort Wayne Zoning Map No. A-19, but through error the area described was designated a B-1-A District, whereas in accordance with the Resolution of the Planning Commission of the City of Fort Wayne, Indiana, said area described in said Ordinance should have been changed from R-A to R-3.

In keeping with said recommendation of said Planning Commission the error of the scrivener is hereby corrected, therefore:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols on the City of Fort Wayne Zoning Map No. A-19 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit;

A part of the South one-half (1/2) of the South-east quarter (1/4) of Section Fourteen (14), Township Thirty-one (31) North, Range Twelve (12) East, in Allen County, Indiana, being more particularly described as follows: Beginning at a point on the South line of the said half quarter section, a distance of 440 feet south 83° 20' 44" West of the Southeast corner thereof (said point also being on the center line of Washington Center Road, as now located and established;) running thence South 88° 20' 40" West upon and along the said south line and the center line of said road a distance of 775.726 feet to a point. Thence North to the South right-of-way line in Interstate Highway I-69; thence East along the Southerly right-of-way line of Interstate Highway of beginning; thence South 1143.8 feet to the place of beginning, containing 16 acres, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Eugene Kraus
Councilman

Read the third time in full and on motion by E. Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Steir, Talarico
Nays: None
Abscent: None

Date: September 26, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No Z-13-72 on the 26th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-09-04-amended:

SPECIAL ORDINANCE NO. S-82-72

AN ORDINANCE amending Special Ordinance No.
S-52-72.

WHEREAS, the Board of Public Works of the City of Fort Wayne adopted Sidewalk Improvement Resolution Nos. as follows:

Sidewalk Improvement Resolution No. 5610-1972 for the construction of sidewalk on the south side of Vance Avenue from the east curb line of Devon Drive to the west curb line of Kingsley Drive, except where sidewalk is now in place.

Sidewalk Improvement Resolution No. 5613-1972 to construct sidewalk on the south side of Vance Avenue from the east property line of Glencairn Drive to the west property line of Devon Drive, except where sidewalk is not in place, to a width of five feet.

Sidewalk Improvement Resolution No. 5614-1972 to construct sidewalk on the south side of Vance Avenue from the east property line of Kingsley Drive to a point approximately 166 feet east thereof to a width of five feet.

Sidewalk Improvement Resolution No. 5615-1972 to construct sidewalk on the south side of Vance Avenue from the east pavement line of Coliseum Boulevard North to the west curb line of Inwood Drive to a width of five feet.

Sidewalk Improvement Resolution No. 5616-1972 for the construction of a sidewalk on the south side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Avenue to a width of five feet.

Sidewalk Improvement Resolution No. 5617-1972 to construct sidewalk on the north side of Vance Avenue from the east curb line of Inwood Drive to the west property line of Glencairn Drive to a width of five feet.

WHEREAS, within ten (10) days after the day named for hearing upon said Resolutions, a majority of the resident freeholders on said street remonstrated against said improvement; and

WHEREAS, on May 11, 1972, the Board of Public Works, upon consideration of such remonstrance, determined that in its opinion, a public need and necessity for said sidewalk exists for the safety of the children in the area so that they will not be compelled to walk and play in the street, and by its communication dated May 11, 1972, heretofore made a matter of record, communicated the foregoing to this body; and

WHEREAS, Section 107 of Chapter 129 of the Acts of 1905 of the State of Indiana amended, provides that in the event of such a remonstrance, the improvement shall not be made unless specifically ordered by an ordinance within sixty (60) days thereafter, passed by two-thirds vote of the Council and approved by the Mayor.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the construction of the above described sidewalk is hereby deemed to be of public need and necessity in order to provide for the safety of the children living and playing in said area.

SECTION 2. That notwithstanding any remonstrance filed against the same by the resident freeholders on said street, the construction of a sidewalk on the south side and on the north side of Vance Avenue as above described, be and the same is hereby specifically ordered, and this ordinance shall be and constitutes sufficient authority and direction to the Board of Public Works of the City of Fort Wayne in the premises to proceed in accordance with said resolution.

SECTION 3. This ordinance is passed upon the same date and at the same meeting at which it was introduced and it is passed by unanimous consent of all members of the Common Council

present, and there are present and voting at least two-thirds of all members elect of said Common Council.

SECTION 4. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by W. Moses seconded by W. Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: September 26, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-82-72 on the 26th day of September, 1972

Attest: (Seal)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-06-14

SPECIAL ORDINANCE NO. S-81-72

AN ORDINANCE approving bid document Ref. No.444, with Gladieux Refinery, Inc. for SCl Road Oil for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 444, approved June 8, 1972 between the City of Fort Wayne, by and through its Mayor, Board of Public Works, Street Department and Department of Purchases, and Gladieux Refinery, Inc., for:

350,000 Gal. SCl Road Oil \$.1770/gal

for a total cost of \$61,950.00, all as more specifically set forth in said bid document Ref. No. 444 and Purchase Order No. 3-07992, which are on file in the office of the Department of Purchases and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by W. Moses seconded by W. Hinga and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: September 26, 1972

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-81-72 on the 26th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September, 1972 at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

Councilman Winfield Moses, Jr moved to suspend the rules on passage of BILL NO. S-72-09-16, at this meeting of September 26, 1972, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman, Stier, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above Bill and Special Ordinance was accordingly placed on its passage.

Date: September 26, 1972

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

ATTEST: (SEAL)

Date: September 26, 1972

Charles W. Westerman
City Clerk

BILL NO. S-72-09-16

SPECIAL ORDINANCE NO. S-79-72

AN ORDINANCE repealing Special Ordinance No. S-24-72 which approved a certain bid document with WAYNE WASTE OIL for 350,000 Gal. SCL Road Oil.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A Special Ordinance being Ordinance No. S-24-72 approving a certain bid document with WAYNE WASTE OIL for 350,000 Gal. SCL Road Oil, be and it is hereby repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by W. Moses seconded by J. Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None
Date: September 26, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-79-72 on the 26th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1972 at the hour of 9:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September 1972 at the hour of 11:30 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-09-07

SPECIAL ORDINANCE NO. S-83-72

AN ORDINANCE approving a contract with JOHN DEHNER, INC.
for a sanitary sewer to serve the City's Water Construction
Complex.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: The contract approved September 6, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC. for construction of a sanitary sewer to serve the City's Water Construction Complex for a total cost of \$4,525.45, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 7411, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul Burns
Councilman

Read the third time in full and on motion by P.Burns seconded by J.Stier and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None

Date: September 26, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-83-72 on the 26th day of September, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of September, 1972 at the hour of 9:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of September 1972 at the hour of 11:30 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-10-04

RESOLUTION NO. R-40-72

RESOLUTION authorizing payment for repairs
to City-owned vehicle.

WHEREAS, squad Car #10 was damaged in an automobile accident August 13, 1972, at 1100 Nevada Street; and

WHEREAS, settlement in the amount of \$69.00 was made by Western Casualty and Surety Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick, Inc. has submitted an estimate in the amount of \$69.00, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$69.00 to Jim Kelley Buick, Inc. for repairs to Squad Car #10.

William T. Hinga
Councilman

Read the third time in full and on motion by W. Hinga seconded by S. Talarico and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: October 10, 1972

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-40-72 on the 10th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of October, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-10-05

RESOLUTION NO. R-39-72

RESOLUTION authorizing payment for repairs to Street
Department vehicle.

WHEREAS, Barbara L. Sweet, in an accident, damaged a Street Department vehicle No. 293, and

WHEREAS, settlement in the amount of \$375.95 was paid by the Lumbermans Mutual Insurance Co., to the Controller's Office, which money was received into the General Fund, and

WHEREAS, this repair will be made by the Jerry Watson Ford Company.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$375.95 to Jerry Watson Ford, Co. for repairs to Street Department Vehicle, No. 293.

William T. Hinga
Councilman

Read the third time in full and on motion by W. Hinga seconded by Burns and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: October 10, 1972

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-39-72 on the 10th day of October, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of October, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-09-27 (Amended)

GENERAL ORDINANCE NO. G-Defeated

AN ORDINANCE pertaining to the inspection of
service stations by the Fire Prevention Bureau.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. For the purpose of this Ordinance, the term "service station" is defined as meaning an establishment which stores gasoline, oil and/or other petroleum products on the premises and which sells the same at retail for use in vehicles powered by internal combustion engines.

SECTION 2. It shall be the duty of the Fire Prevention Bureau of the City of Fort Wayne to inspect each service station within the City limits of said City at least once every year to ensure that said station is in full compliance with the Fire Prevention Code of said City.

SECTION 3. Upon such inspection, the Fire Prevention Bureau shall issue a certificate of compliance with the Fire Prevention Code. In the event a service station shall not be in full compliance with the Fire Prevention Code, the Fire Prevention Bureau shall leave a written statement at the service station describing the reasons why such station fails to comply with the Fire Prevention Code. Thereafter the Fire Prevention Bureau shall reinspect such service station at bi-weekly intervals until compliance is attained. There shall be a charge of \$25.00 for each such reinspection after the first inspection.

SECTION 4. This Ordinance shall be in full force and effect from and after passage, approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Lost by the following vote:

Ayes: Four
Kraus, Moses, V. Schmidt, Stier
Nays: Five
Burns, Hinga, Nuckols, D. Schmidt, Talarico
Absent: None

Date: October 10, 1972

Charles W. Westerman
City Clerk

Defeated on the 10th day of October, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. G-72-09-29

GENERAL ORDINANCE NO. G-Defeated

AN ORDINANCE amending Chapter 11, Sections 20, 21, 22 and adding Sections 23 and 24 of the Municipal Code of the City of Fort Wayne, Indiana 1946.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Sections 20, 21 and 22 of Chapter 11 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, are hereby amended to read as follows:

Sec. 20. No nuisance where adequate and open fire lanes.

No building shall constitute such a nuisance if the owner and lessee provided adequate marked fire lanes, complying with the standards proposed by the Fire Prevention Bureau as hereinafter provided and keep such lanes open at all time for fire fighting equipment.

Sec. 21. Standards For Dedication of Lanes.

The Fire Prevention Bureau shall prepare standards for the dedication of fire lanes, which standards shall be furnished upon request to anyone wanting them.

Sec 22. Dedication of Lanes

No building permit shall be issued a) for the construction of any new building in a shopping center which has, or which has been planned to have, three or more different lessees engaged in retail sales, in the service and repair business, in the restaurant business or in the entertainment business; b) for the construction of a nursing home, or for the alteration of an existing building for such use; c) for the construction of an apartment building having six or more separate apartments, or for the alteration of an existing building for such use, unless the owner of the real estate upon which the construction or alteration is to occur shall first have dedicated adequate fire lanes, either for general public use or for use only as fire lanes, and unless the bureau of fire prevention shall have issued its certificate in writing that such fire lanes, as dedicated, comply with the standards prepared by said bureau. Thereafter the fire department shall be responsible for marking the lanes and keeping them open and the owner and lessee shall be relieved of all further responsibility and under this article.

SECTION 2. Chapter 11 of the Municipal Code of Fort Wayne, Indiana, 1946 shall be amended by adding thereto Sections 23 and 24 as follows:

Sec 23. Penalties For Obstruction of Lanes.

Any person parking in or otherwise obstructing a marked fire lane, whether or not dedicated, shall be subject to the same penalties provided for such parking or otherwise obstructing fire lanes on public streets. Personnel of the Fire Prevention Bureau are authorized to, and shall, issue tickets for such parking or otherwise obstructing marked fire lanes.

Sec 24. Severability

If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the common council without such invalid section, clause, sentence, paragraph, part of provision.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion Kraus seconded by Stier and duly adopted, placed on its passage. Lost by the following vote:

AYES: Two

Kraus, Nuckols

NAYS: Seven

Burns, Hinga, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: October 10, 1972

Charles W. Westerman
City Clerk

Defeated on the 10th day of October, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-09-05

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance approving an agreement with NATIONAL CASH REGISTER for rental equipment have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be WITHDRAWN.

Winfield C. Moses, Jr., Chairman
William T. Hinga Vice-Chairman
Samuel J. Talarico
Eugene Kraus, Jr.

Made a matter of record
Date: 10-10-72 Charles W. Westerman, City Clerk

BILL NO. S-72-09-05

SPECIAL ORDINANCE NO. S-Withdrawn

AN ORDINANCE approving an agreement with NATIONAL CASH REGISTER for rental equipment.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain agreement between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and NATIONAL CASH REGISTER for equipment to replace equipment rented by City Utilities from International Business Machines, as more specifically set forth in said agreement which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses Jr.
Councilman

BILL NO. D-72-09-13

SPECIAL ORDINANCE NO. S-84-72

AN ORDINANCE approving contract BOWEN ENGINEERING CORPORATION for construction of Large Scale Demonstration of Treatment of Storm-Caused Overflow By the Screening Method - Section V

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 22, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BOWEN ENGINEERING CORPORATION, for:

Construction of Large Scale Demonstration of
Treatment of Storm-Caused Overflow By the
Screening Method - Section V

for a total cost of \$1,292,024,00, of which the City will share with Environmental Protection Agency, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-84-72 on the 10th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of October, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-09-14

SPECIAL ORDINANCE NO. S-85-72

AN ORDINANCE approving Change Order No. 1 with BERCOT-GIBSON, INC. in the amount of \$35,552.00 for Storm Sewer Resolution No. 259-1971, in the area of Colerick-Monroe Inner City.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with BERCOT-GIBSON, INC., in connection with Storm Sewer Resolution No. 259-1971, to cover additional unforeseen construction items and to incorporate additional needed street rehabilitation into the scope of the overall project in the Colerick-Monroe Inner City, for a total cost of \$35,552.00, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
~~Burns~~, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: None

Date: October 10, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of October, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-09-15

SPECIAL ORDINANCE NO. S-86-72

AN ORDINANCE approving a Contract with WALKER PROCESS EQUIPMENT for furnishing Clarifier Mechanism.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated June 28, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and WALKER PROCESS EQUIPMENT for:

Contract 72-W-1 for furnishing Clarifier Mechanism in connection with Water Works Improvement Project in the amount of \$41,774.00.

All as more specifically set forth in contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote.

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: October 10, 1972
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-86-72 on the 10th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk
John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of October, 1972 at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of October, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-10-06

SPECIAL ORDINANCE NO. S-88-72

AN ORDINANCE approving a certain bid document with Ray O'Herron Company, Inc. for (50) Smith & Wesson Revolvers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 474 dated September 22, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety-Police Department and Ray O'Herron Company, Inc., for:

(50) Smith & Wesson Model 15 Revolvers
Company Masterpiece .38 Caliber 4"
Blue Barrel.
\$67.35 each. \$3,367.50

as more specifically set forth in said bid document Ref. No. 474 and Purchase Order No. 3-10460, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-88-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-10-11

RESOLUTION NO. R-41-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, City car unit No. 302 was damaged in an automobile accident; and

WHEREAS, settlement in the amount of \$221.90 was made by Nationwide Insurance, Inc., to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, the car will be repaired by the City Garage for a sum of \$221.90, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$221.90 to City Garage for repairs to City Car unit No. 302.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-41-72 on the 24th. day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of October, 1972, at the hour of 10:00 o'clock A.M.,
E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-10-12

RESOLUTION NO. R-42-72

RESOLUTION authorizing payment for repairs
chain link fence at Fourth and Clinton
Streets.

WHEREAS, the chain link fence around locomotive at Fourth and Clinton Street was damaged;
and

WHEREAS, settlement in the amount of \$50.00 was through Safety Director's Office by Ray
Franke; and

WHEREAS, City Forces have submitted an estimate in the amount of \$50.00, which sum is the
reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$50.00 to City Forces for
repairs to the chain link fence around locomotive at Fourth and Clinton Streets.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted,
placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution
No. R-42-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, '1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of October, 1972, at the hour of 10:00 o'clock A.M.,
E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-10-14

RESOLUTION NO. R-43-72

A RESOLUTION transferring funds from 97,
Federal Venereal Disease Program to
9-2-213, Travel Expense; 9-3-34, Hospital
for V.D. Cases; and 9-7-721, Furniture
and Fixtures.

WHEREAS, certain funds were used from the 1972 Budgeted funds of the Board of Health to
get Federal Venereal Disease Program started with a reimbursable fund and operating cash; and

WHEREAS, it is necessary to repay \$4,435.65 from 97, Federal Venereal Disease Program to the 1972 Budget of the Board of Health.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF FORT WAYNE, INDIANA, THAT:

The sum of \$4,435.65 is hereby transferred from 97, Venereal Disease Program to the following accounts in the 1972 Budet of the Borad of Health:

\$400.00 to Account No. 9-2-213, Travel Expense
 \$950.00 to Account No. 9-3-34, Hospital for V.D. Cases
 \$3,085.65 to Account No. 9-7-721, Furniture and Fixtures

These funds were temporarily used as operating capital for Federal Venereal Disease Program.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
 Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None

Date: 10-24-72

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-43-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

John Nuckols
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 30th day of October, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-72-10-17

RESOLUTION NO. R-44-72

RESOLUTION Approving and Authorizing Application by the City of Fort Wayne for a Federal Grant to Assist in Financing the Preparation of a 701 Planning Program Reconstructing the Environment for the City of Fort Wayne.

WHEREAS, under Section 701 of the Housing Act of 1954, as amended, the Secretary of Housing Act of 1954, as amended, the Secretary of Housing and Urban Development is authorized to make grants available to assist in the solving of planning problems; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance; and

WHEREAS, it is desirable and in the public interest that the City of Fort Wayne prepare a 701 Planning Program for reconstructing the environment;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the preparation of the 701 Planning Program reconstructing the environment is hereby approved.

2. That the financial assistance under Section 701 of the Housing Act of 1954, as amended is required to enable the City of Fort Wayne to finance the preparation of the 701 reconstructing the environment program.

3. That it is fully cognizant of the obligations and responsibilities that are imposed by a Federal contract for a grant to assist in the preparation of a Section 701 Planning Program and that it is the sense of this body that such obligations can and will be fulfilled.

4. That the filing of an application by the City of Fort Wayne under Section 701 of the Housing Act of 1954, as amended, to assist in financing the

preparation of a reconstructing the environment program for the City of Fort Wayne is hereby authorized and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-44-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-10-19

RESOLUTION NO. R-45-72

A RESOLUTION approving Open-Space
Land Grant Application Part A&B with U.S.
Department of Housing and Urban
Development.

WHEREAS, under Title IV of the Housing and Urban Development Act of 1970, the Secretary of Housing and Urban Development is authorized to extend financial assistance to local public bodies to provide, preserve, and develop open-space land, and develop and improve open space and other public urban land; and

WHEREAS, the City of Fort Wayne desires to develop and improve its existing municipal park system, and

WHEREAS, the City of Fort Wayne is concerned about providing safeguards to preserve and develop open space land which is essential to the proper long range development and welfare of the city's urban area:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. The Open Space Land Grant Application Part A & B are hereby approved for the expansion and improvement of the following municipal parks: Franke Park, Hanna-Homestead Park, Reservoir Park, and Swinney Park.

2. The financial assistance available under the Housing and Urban Development Act of 1970, is needed to enable the City of Fort Wayne to finance the expansion and improvement proposed in said application.

3. The City of Fort Wayne, Indiana, is authorized to file the Open Space Land Grant Application Part A & B for the expansion and improvement of the municipal parks indicated in said application.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
 Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None

Date: 10-24-72

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-45-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

John Nuckols
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-72-10-10

SPECIAL ORDINANCE NO. S-89-72

AN ORDINANCE authorizing the sale of certain real estate near Schwartz Road owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana is the owner of certain real estate in Allen County, Indiana, said real estate being more particularly described as follows:

Part of the North half of Section 22, Township 32 North, Range 13 East in Allen County, State of Indiana, described as follows, to-wit:

Beginning at a point on the south line of the north-east one-quarter ($\frac{1}{4}$) of said Section, said point being situated 247.0 feet east of the center of said Section; thence north 28 degrees 59 minutes west 75.90 feet; thence north 40 degrees 03 minutes 40 seconds west 297.95 feet; thence south 84 degrees 40 minutes 12 seconds east 192.36 feet; thence south 3 degrees 37 minutes and 27 seconds east 252.0 feet to the place of beginning, containing 0.505 acres, more or less.

WHEREAS, said real estate is presently under the jurisdiction of the Civil City of Fort Wayne, Indiana and its Board of Public Works, and was acquired in connection with the construction of Cedarville Reservoir, and now has no further use to the City of Fort Wayne, Indiana; and

WHEREAS, the Board of Public Works, by Resolution under date of _____, has determined that it will be to the best interest of the City of Fort Wayne, Indiana and its Board of Public Works, and was acquired in connection with the construction of Cedarville Reservoir, and now has no further use to the City of Fort Wayne, Indiana; and

WHEREAS, the Board of Public Works, by Resolution under date of _____, has determined that it will be to the best interest of the City of Fort Wayne, Indiana to offer said real estate for sale; and the sales price thereof to be a sum in cash of not less than the full appraised value thereof, as determined by appraisers hereinbelow provided; said appraisers appointed in the manner required by law prior to the sale of municipal lands or interests in such lands, and provided further that such sale be made for a sum of not less than such appraised value;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne, Indiana by and he is hereby authorized and directed in the name of, for and on behalf of said City, to sell, grant and convey the real estate described above in fee simple, the sales price thereof to be a sum in cash of not less

than the full appraised value thereof as determined by the appraisers hereinbelow provided.

SECTION 2. That upon full payment of the purchase price of said real estate to said City, the said Mayor, in the name of and for and on behalf of said City, shall be, and hereby is, authorized and directed to execute and deliver an instrument granting and conveying to the highest bidder for the purchase of said above described real estate in fee simple, and the signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne, Indiana, and accompanied by the seal of said City.

SECTION 3. The Judge of Allen Circuit Court be, and he is hereby requested to appoint three (3) disinterested freeholders of the City of Fort Wayne to appraise and determine the value of the above described real estate with a view to the sale of the same, and prior to such appraisement the Board of Public Works shall advise said appraisers of the terms and conditions to be included in the instrument of conveyance which said Board considers necessary or advisable in the best interests of said City.

SECTION 4. This Ordinance shall be and continue sufficient authority for the Mayor and the Board of Public Works and the City Clerk of the City of Fort Wayne, Indiana to effect the sale, grant and conveyance of said above described real estate in fee simple and to do all things incidental thereto or necessary therefor.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-89-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-89-72 on the 24th day of October, 1972.~~

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of October, 1972, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-07-11

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map Nos. A-7 and A-9

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-1A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map Nos. A-7 and A-9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot # 133 Brookview Addition Inst. No. 70-2274
Lot # 134 Brookview Addition, Book No. 353,
page 171

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt
Nays: Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico

Date: 10-24-72
Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-07-12

ZONING MAP ORDINANCE NO. Z-WITHDRAWN

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. G-9

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. G-9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Inwood Park East 70 feet of South 150 feet of
Lot 5 and the West 30 feet of South 150 feet,
Lot 6 as recoreded in Plat Book 10, Page 28

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

BILL NO. Z-72- 07-16

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. F-17

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-17 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Property is located in the County of Allen,
State of Indiana and identified or described
as follows:

Part of the West half of the Northwest quarter
of Section 20, Township 31 North, Range 13 East,
Allen County, Indiana, more particularly described
as follows:

Beginning ata point on the North line of the
Northwest quarter of Section 20, Township 31
North, Range 13 East, Allen County, Indiana,
said point being situated 238.7 feet West of the Northeast corner of
the West half of the North- quarter of said Section 20-31-13, thence South 00
degrees 10 minutes East, parallel to the East line
of the West half of the Northwest quarter of Section
20-31-13, adistance of 170.0 feet to a point;

on the North line of the Northwest quarter of section 20-31-13; thence North 90 degrees 00 minutes East, along the aforesaid North line of the Northwest quarter of Section 20-31-13, a distance of 150.0 feet to the point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal Publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None

Nays: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 10-24-72

Charles Westerman
City Clerk

~~Read and adopted by the Common Council of t~~

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-08-24

Report of the Committee on Regulations

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. CC - 13 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance by Withdrawn.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul M. Burns
Vivian G. Schmidt

Bill No. Z-72-08-24

ZONING MAP ORDINANCE NO. Z-WITHDRAWN

AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. CC - 13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated BIA District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC - 13 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

As recorded by Deed Book 716 Page 536 - The North 260.5 feet of the South 521 feet of the West 689.5 feet to the North East $\frac{1}{4}$ of Section 27, Township 31 North, Range 12 East, containing 4 acres, more or less, except parts sold off by Deed Record 590, page 52, and by instrument number 71-12598.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

BILL NO. Z-72-08-25

ZONING MAP ORDINANCE NO. Z-DEFEATED

AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. AA - 6

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA6 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 11 and 12 in Branning Homestead Add. Plat
Book #10, Page #29.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. LCST by the following vote:

Ayes: Three
Burns, Moses, D. Schmidt
Nays: Six
Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico

Date: 10-24-72

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. G-72-09-26

Report of the Committee on Regulations

We, your Committee on Regulations to whom was referred an Ordinance amending Chapter 37 of the Building Code with respect to Electrical Installation Permits, Plumbing Permits, and Heating, Ventilating, and Air Conditioning Permits have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be WITHDRAWN.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul M. Burns
Vivian G. Schmidt

BILL NO. G-72-09-26

GENERAL ORDINANCE NO. G-WITHDRAWN

AN ORDINANCE amending Chapter 37 of the Building Code with respect to Electrical Installation Permits, Plumbing Permits, and Heating, Ventilating, and Air Conditioning Permits.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. All of Section 108.2.1.4 all of Section 108.3.1.2, and all of Section 108.5.1.2. of Division 100, Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended and recodified and referred to as the Building Code is hereby amended by repealing all of said Section 108.2.1.4, all of Section 108.3.1.2 and all of said Section 108.5.1.2 of the Building Code, and there is hereby substituted the following which are in lieu of the above Sections of said Building Code hereinabove repealed:

108.2.1.4 Licensee -- No permit for the installation or alteration, electrical wiring, devices, appliances or equipment shall be issued to any person unless such person is the holder of a license entitling such person to secure permits for and to execute the work described in the application for the permit; provided, however, that a permit may be issued to the owner of any building work for which a permit is required by this Code, if said work shall actually be done by the owner or a member of his immediate family, and the applicant furnishes a sworn statement to that effect.

108.3.1.2 Owner -- A permit may be issued to the owner of any building for work for which a permit is required by this Code if said work shall be actually done by the owner or a member of his immediate family, and the applicant furnishes a sworn statement to that effect.

108.5.1.2 Owner -- Nothing in this Code shall be construed to prevent a person who owns a building from securing a permit to personally install, alter or repair such equipment covered by

this Code provided he has a reasonable knowledge of such work and is capable of such installation. Such owner shall obtain a permit for any such work and shall call for inspection as herein provided. The Inspector may require the applicant to submit evidence of fitness to do such work.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication as required by law.

Eugene Kraus, Jr.
Councilman

BILL NO. G-72-09-28

Report of the Committee on Regulations

We, your Committee on Regulations to whom was referred an Ordinance regulating the burning of waste materials have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be WITHDRAWN.

Eugene Kraus, Jr.
James S. Stier
William T. Hinga
Paul M. Burns

BILL NO. G-72-09-28

GENERAL ORDINANCE ~~NO. G-72-09-28~~ NO. G-WITHDRAWN

AN ORDINANCE regulating the burning of waste materials.

WHEREAS, the City of Fort Wayne, Indiana is becoming increasingly densely populated; and

WHEREAS, the burning of trash, rubbish, garbage and other waste materials constitutes a fire hazard to the safety of the inhabitants of said City because of the danger presented by such burning; and

WHEREAS, such burning further contributes to the pollution of the air in and about said City;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. It shall be unlawful to burn any trash, rubbish, garbage, and other waste materials within the City limits of Fort Wayne, except within an indoor incinerator, in a furnace, or in any area that may be zoned for such burning.

SECTION 2. Anyone who is convicted of burning trash, rubbish, garbage and other waste materials in violation of this Ordinance shall be guilty of a misdemeanor and shall be fined an amount not to exceed \$100.00. Personnel of the Fire Prevention Bureau are authorized to, and shall, issue tickets for such burning.

SECTION 3. This Ordinance shall be in full force and effect from and after passage, approval by the mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

BILL NO. S-72-10-03

SPECIAL ORDINANCE NO. S-87-72

AN ORDINANCE approving a contract with NORTHEASTERN ENTERPRISES, INC. for construction of Main Sanitary Sewer and Laterals in the area of Maplecrest Road and Vance Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 28, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NORTHEASTERN ENTERPRISES, INC. for construction of Main Sanitary Sewer and Laterals in the area of Maplecrest Road and Vance Avenue all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-87-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 30th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-08-23

ZONING MAP ORDINANCE NO. Z-14-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BLB District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Southeast Quarter of Section 30, Township 31 North, Range 13 East, Allen County, Indiana, in particular described as follows to-wit:

Commencing on the North line of said Quarter Section as defined by the centerline of the public road known as the Trier Road at a point situated 347.0 feet Westerly of the East Quarter corner of said Section; thence Southerly on a line parallel to the East line of said Quarter Section, a distance of 316.0 feet; thence Northwesterly by a deflection right of 99 degrees 35 minutes, a distance of 97.8 feet; thence continuing Northwesterly by a deflection right of 67 degrees 55 minutes, a distance of 91.2 feet; thence continuing Northwesterly by a deflection left of 62 degrees 01 minutes, a distance of 98.0 feet; thence Southwesterly by a deflection left of 38 degrees 09 minutes, a distance of 57.3 feet; thence Northwesterly by a deflection right of 53 degrees 51 minutes, a distance of 165.1 feet; thence continuing Northwesterly by a deflection right of 20 degrees 57 minutes, a distance of 161.76 feet to the centerline of said Trier Road; thence Easterly on the line aforesaid by a deflection right of 128 degrees 17 minutes, a distance of 494.57 feet, more or less, to the point beginning; containing 2.10 acres, more or less;

SUBJECT TO a public road upon and over the North 40 feet thereof as required by the Fort Wayne City Plan Commission.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Burns, Kraus, Moses, V. Schmidt, Stier
Nays: Four
Hinga, Nuckols, D. Schmidt, Talarico

Date: 10-24-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-14-72 on the 24th day of October, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of October, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd. day of November, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-11-10

RESOLUTION NO. R-47-72
A RESOLUTION transferring certain funds from
account No. 3-2-212 and Account No. 3-2-23 in the
1972 Metropolitan Human Relations Budget.

WHEREAS, there are insufficient funds in Account No. 3-2-213 Travel Expense Account to reimburse staff members of the Metropolitan Human Relations Commission for travel expense already incurred and estimated for the remainder of this year; and

WHEREAS, there are sufficient funds in Account No. 3-2-212, Postage and Account No. 3-2-23, Instruction.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

Account No. 3-2-212, Postage	\$120.00
Account No. 3-2-23, Instruction	<u>380.00</u>
	\$500.00 TOTAL

to the following account, No. 3-2-213, Travel Expense.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote.

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. 47-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-11-11

RESOLUTION NO. R-46-72

A RESOLUTION transferring certain funds from 2-2-264, Computer Services to 2-2-265, Weed Control within the 1972 Budget of the City Controller.

WHEREAS, an error was made which permitted the Weed Control account to be over-spent by \$645.00: and

WHEREAS, there are sufficient funds in Account No. 2-2-264, Computer Services to replace the said \$645.00.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$645.00 is hereby transferred from Account No. 2-2-264, Computer Services to Account No. 2-2-265, Weed Control in the 1972 Budget of the City Controller.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-46-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-11-12

RESOLUTION NO. R-48-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, City Car Unit #198 was damaged in an automobile accident; and

WHEREAS, settlement in the amount of \$93.00 was paid by the Economy Fire and Casualty Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick, Inc. has submitted as estimate in the amount of \$93.00, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$93.00 to Jim Kelley Buick, Inc. for repairs to City Care Unit #198.

William Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-48-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-11-13

RESOLUTION NO. R-49-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, Board of Health Vehicle No. 5 was damaged in an automobile accident September 20, 1972; and

WHEREAS, Settlement in the amount of \$444.53 was paid by the State Farm Insurance to the Controller's Office, which money was received into the General Fund; and

WHEREAS, Jim Kelley Buick, Inc. has submitted an estimate in the amount of \$444.53, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$444.53 to Jim Kelley Buick, Inc. for repairs to Board of Health Vehical No. 5.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote.

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-49-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-11-14

RESOLUTION NO. R-50-72

A RESOLUTION transferring certain funds from Account No. 8-1-115h Salaries to Account No. 8-7-726h Other Equipment in the 1972 Budget of the Board of Public Safety-Fire Department.

WHEREAS, it is necessary to transfer certain funds in order to purchase 1 Chief's car, 2 Assistant Chief's cars and a 3/4 ton pick-up truck for the shop; and

WHEREAS, the Fire Department will use 3 of their cars for a trade in; and

WHEREAS, there are sufficient funds remaining in Account No. 8-1-115h, Salaries, in the 1972 Budget of the Board of Public Safety-Fire Department, to cover the amount herein needed and which funds are not required for any other purpose.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$10,000.00 is hereby transferred from Account No. 8-1-115h, Salaries to Account No. 8-7-726h, Other Equipment, in the 1972 Budget of the Board of Public Safety-Fire Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote.

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-50-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-11-15

RESOLUTION NO. R-51-72

A RESOLUTION concerning applications for continuation of a Public Personnel Program to be funded through the Intergovernmental Personnel Act Program.

WHEREAS, there are lacking (1) a well structured, defined, and written set of personnel policies and procedures and (2) a program that offers meaningful incentives and training opportunities for educational and vocational self-improvement for municipal employees and increased professionalism and efficiency for the City of Fort Wayne; and

WHEREAS, the absence of sound programs in these vitally essential areas makes it imperative that the Administration continue its public personnel program; and

WHEREAS, through the Intergovernmental Personnel Act Program, the possibility of implementing such

programs, thereby accomplishing the goal of a more informed, educated and professional municipal work force, becomes a reality.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Common Council authorizes the City of Fort Wayne to apply for a continuation of its public personnel program, and supplements thereto, to be funded through the Intergovernmental Personnel Act Program (on a 75-25 ratio), which assists with the implementation of effective and progressive municipal personnel policy and procedure system and training programs.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-51-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-10-18

GENERAL ORDINANCE NO. G-18-72

AN ORDINANCE amending Section 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to Public Hearings on Multiple Family or Group Facilities in "RA" and "RB" Districts.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by deleting paragraph D (10) of said section and substituting therefor the following:

SECTION 14.D. "RA" District and "RB" District Residence.

- (10) If the Commission shall find that substantial property rights in the area surrounding the tract may be directly affected by the development, a public hearing shall be held by the Commission before it approves a preliminary development plan; otherwise, a public hearing shall be the same notice as is required under the laws of the State of Indiana for the adoption of a Master Plan or amendments thereto under the Planning Acts of the State of Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-18-72 on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of November, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-09-18

ZONING ORDINANCE NO. Z-Defeated

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC-7 referred to therein are hereby changed accordingly, to-wit:

Lots 107, 108, 109 and 110 in Eureka Park
Addition to the City of Fort Wayne, Allen
County, Indiana. As recorded in Plat Book
4, Page 54.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Lost by the following vote:

AYES: None
NAYS: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance~~

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-09-20

ZONING ORDINANCE NO. Z-Defeated

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD-15.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD-15 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

Lot no. 113 is Amended Plat of Lots 109 to 130 both inclusive in Lincolnale Addition to the city of Ft. Wayne, according to the recorded plat thereof.

Lots numbered 114, 115, and 116 in the Amended Plat of Lots 109 to 130 inclusive in Lincolnale

addition to the City of Ft. Wayne, according to the recorded plat thereof.

Amended Plat of Lincolndale Addition: Plat Book 22, Page 7.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Lost by the following vote:

AYES: None

NAYS: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

ABSENT: None

Date: November 14, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. Z-72-09-21

ZONING ORDINANCE NO. Z-Withdrawn

Report of the Committee on Regulations

We, your Committee on Regulations to whom was referred an ordinance amending the City of Fort Wayne Zoning Map No. B-6 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be Withdrawn.

~~Eugene-Kraus-Jr.---Chairman~~
James S. Stier - Vice-Chairman
~~William-T.-Hinga~~
Paul M. Burns
Vivian G. Schmidt

BILL NO. Z-72-09-21

ZONING ORDINANCE NO. Z-Withdrawn

AN ORDINANCE amending the City of Fort Wayne, Zoning Map No. B-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-6 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 380, 381, 382 and North 7.83 feet of
Lot 383, in Avondale addition to City of
Fort Wayne;

Lots 386 and 387 and the south 12.1 feet
of Lot 385 in Avondale Addition to City of
Fort Wayne; as recorded in Plat Book 4, Page 29.

Lots 23, 24 and 25, and Lots 98, 99 and 100 in
Grand Boulevard Addition to the City of Fort
Wayne; as recorded in Plat Book 6, Page 72.
(being generally described as the four corners
at Hanna & Rudisill.)

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

November 16, 1972

Mr. John Nuckols, President
 and Mr. Donald Schmidt,
 Mr. William T. Hinga,
 Mr. Eugene Kraus, Jr.,
 Mr. Winfield Moses, Jr.,
 Mr. James S. Stier,
 Mr. Paul Burns,
 Mrs. Vivian Schmidt,
 Mr. Samuel Talarico,
 Members of the Common Council
 of the City of Fort Wayne

Gentlemen and Mrs. Schmidt:

I am returning for your reconsideration Bill No. Z-72-09-19 and Bill No. Z-72-09-22, both without my signature.

You are aware of my policy of not approving ordinances which overrule the recommendation of the Plan Commission.

This procedure at least gives you the opportunity to reexamine your position and compare it to the position of the Plan Commission and I urge you to do so.

Sincerely,

Ivan A. Lebamoff, Mayor

IAL:ddc

cc: Charles W. Westerman, City Clerk

BILL NO. Z-72-09-22

ZONING ORDINANCE NO. Z-Vetoed by Mayor

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-6, B-8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-6, B-8 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

The East 110 feet of Lots 414, 415, and 416 in Avondale Addition to the City of Fort Wayne, Allen County, Indiana.

(Lot 414 presently R-1, Lots 415 & 416 presently B-1)

As recorded in Plat Book 4, page 29.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
 Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
 Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
 NAYS: One

V. Schmidt

Date: November 14, 1972

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance Vetoed on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

John Nuckols
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

BILL NO. Z-72-09-19

ZONING ORDINANCE NO. Z-Vetoed by Mayor

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-6 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

Lot 376 Drexel park, Second Addition except the north 5 feet thereof condemned for street purposes. (Generally known as the southeast corner of Oxford and Bowser). As recorded by Plat Book 3, Page 36.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
NAYS: One
V. Schmidt

Date: November 14, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. A-Vetoed on the 14th day of November, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Residing Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of November, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

BILL NO. Z-72-09-23

ZONING ORDINANCE NO. Z-Defeated

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. HH-4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. HH-4 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

Lots # 31, 32, & 33 of Country Club Hills Addition, located on the north side of Northridge Road, south of U.S. #24 and west of Bellaire Drive.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Lost by the following vote:

AYES: Six
 Burns, Hinga, Nuckols, Moses, D. Schmidt, Talarico
 NAYS: Three
 Kraus, V. Schmidt, Stier

Date: November 14, 1972

Charles W. Westerman
 City Clerk

BILL NO. G-72-09-09

GENERAL ORDINANCE NO. G-Defeated

AN ORDINANCE repealing certain Annexation Ordinances.

WHEREAS, the City of Fort Wayne, Indiana has adopted ordinances looking to the annexation of certain territories; and

WHEREAS, many such ordinances have been the subject of remonstrances and are presently before the courts in various stages of litigation; and

WHEREAS, the conditions have developed since the adoption of some of said ordinances it has become unlikely said City will be financially able to provide municipal service to the respective territories covered by said ordinances; and

WHEREAS, as conditions have developed since the adoption of some of said ordinances the lines of the respective annexations no longer form a compact area abutting the municipality; and

WHEREAS, as conditions have developed it would facilitate the annexation of some of the territories covered by said ordinances so that any legal proceedings would be governed by the annexation statutes most recently enacted by the General Assembly of Indiana:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The following ordinances and each of them are hereby repealed:

X-18-67	(Covering Concordia Gardens)
X-11-68	(Covering Southwick)
X-03-68	(Covering Glenwood Park)
X-04-68	(Covering Bullerman Park)
X-04-65	(Covering Ranchwood)
X-08-68	(Covering Tamarack)
X-27-69	(Covering Royal Oaks)
X-10-68	(Covering Medical Protective)
X-17-68	(Covering Sunny Meadows)
X-18-68	(Covering St. Joe Gardens)
X109-68	(Covering FOP)

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
 Councilman

Read the third time in full and on motion by V. Schmidt seconded by Hinga and duly adopted, placed on its passage. Lost by the following vote:

AYES: Four
 Hinga, Kraus, Nuckols, V. Schmidt
 NAYS: Five
 Burns, Moses, D. Schmidt, Stier, Talarico

Date: November 14, 1972

Charles W. Westerman
 City Clerk

BILL NO. R-72-12-11

RESOLUTION NO. R-52-72

RESOLUTION APPROVING CITY OF FORT WAYNE ACCEPTANCE
OF FEDERAL GRANT OFFER

WHEREAS, heretofore on October 16, 1972 by Grant Agreement Contract No. H(502)-7006 the U.S. Department of Housing and Urban Development tendered its grant offer in the amount of \$538,738.00 or 50% of final approved cost whichever is less, on Project WS-IN-1001 (Improving the Harvester Ditch); and

WHEREAS, acceptance of said Grant offer requires a Resolution of the Board of Public Works and a Resolution of the Common Council of the City of Fort Wayne approving the acceptance of said Federal Grant offer;

NOW THEREFORE, BE IT RESOLVED THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA hereby approves the action of the Board of Public Works of the City of Fort Wayne, Indiana in its acceptance of Grant Agreement Contract No. H(502)-7006 the U.S. Department of Housing and Urban Development in the amount of \$538,738.00 or 50% of final approved cost whichever is less, on Project WS-IN-1001 (Improving the Harvester Ditch).

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-52-72 on the 5th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of December, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of December, 1972, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-12

RESOLUTION NO. R-53-72

RESOLUTION APPROVING ACTION OF BOARD OF PUBLIC
WORKS TO FILE ITS APPLICATION WITH THE U.S. GOVERNMENT
REQUESTING FUNDS TO ASSIST IN CONSTRUCTION OF THE
ST. JOE INTERCEPTOR SEWERS.

WHEREAS, heretofore on November 28, 1972, the Board of Public Works of the City of Fort Wayne adopted its Addendum to Resolution No. 57-6-13 authorizing the filing of an application for a Federal Grant in connection with construction of St. Joe Interceptor Sewers, subject to passage of a Resolution by the Common Council of the City of Fort Wayne, Indiana permitting said Board of Public Works to file application for said Federal Grant to aid in the construction of the St. Joe Interceptor Sewers; and

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has duly considered the request of said Board of Public Works permitting it to file application for said Federal Grant.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Fort Wayne does hereby adopt this Resolution permitting the Board of Public Works of the City of Fort Wayne to file application for a Federal Grant to aid in the construction of St. Joe Interceptor Sewers.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier Talarico
NAYS: None
ABSENT: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-53-72 on the 5th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of December, 1972, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of December, 1972, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-13

RESOLUTION NO. R-54-72

RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, on October 25, 1972, a 1971 Cushman "Scooter" owned by Civil City and used by Tony Berghoff for parking meter collection was damaged by fire; and

WHEREAS, the City carries \$100 deductible insurance; and

WHEREAS, an estimate in the amount of \$248.65 from City Utilities for repairs to the scooter was covered by Check #893820 dated 11/10/72 in the amount of \$148.65 from Great American Insurance Companies; and

WHEREAS, the balance of \$100 still owed to City Utilities should be paid out of the Board of Works; and

WHEREAS, settlement paid in full and receipted into the General Fund under Quietus #622 dated November 15, 1972;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$148.65 to City Utilities for repairs to the 1971 Cushman "Scooter".

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-54-72 on the 5th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of December, 1972 at the hour 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-14

RESOLUTION NO. R-55-72

RESOLUTION authorizing payment for repairs to
City-owned vehicle.

WHEREAS, City car, 1970 Ford, 4-door, Custom, Fire Department vehicle was involved in an accident; and

WHEREAS, settlement in the amount of \$175.60 was made by Travelers Insurance Company, to the City Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Al Gratz Body and Paint Shop has submitted an estimate in the amount of \$175.69, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$175.69 to Al Gratz Body and Paint Shop for repairs to said City car, 1970 Ford, 4-door, Custom, Fire Department Vehicle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Kraus and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-55-72 on the 5th day of December, 1972

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of December, 1972 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-07-09

ZONING MAP ORDINANCE NO. Z-18-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B-10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-10 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #30, generally bounded on the west by Hanna Street, bounded on the north by Belmont Street, bounded on the south the south line of Southern Heights Addition, bounded on the east property line of Lot #30 of Southern Heights Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Five
Burns, Kraus, D. Schmidt, V. Schmidt, Stier
NAYS: Three
Hinga, Nuckols, Talarico
ABSTAINED: One
Moses

Date: December 5, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-18-72 on the 5th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of December, 1972 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-09-19

ZONING ORDINANCE NO. Z-15-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-6

This Ordinance can be found on page 231.

BILL NO. Z-72-09-22

ZONING ORDINANCE NO. Z-16-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B6, B8.

This Ordinance can be found on page 230.

BILL NO. Z-72-11-03

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. AA-2, AA-4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map Nos. AA-2, AA-4 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #1 Roberts Place Addition commonly
known as 2701 Fairfield Ave. Document
#71-5621

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Lost by the following vote:

AYES: One

Burns

NAYS: Eight

Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: December 5, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-11-02

SPECIAL ORDINANCE NO. S-90-72

AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT and ALLEN COUNTY TRACTOR SALES, for three (3) mowers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 476 dated October 30, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and HEINE TURF EQUIPMENT ALLEN COUNTY TRACTOR SALES, for

Heine Turf Equipment

Item 1 - Two (2) Toro Sparton Reel Type Fairway Mowers
(1) Nine-Gang, (1) Seven-Gang

Allen County Tractor Sales

Item 2 - One (1) Rotary Type Mower Total: \$8,306.00

as more specifically set forth in said bid document Reference No. 453 and Purchase Order No. P.O. 3-10993 and P. O. 3-10994, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: December 5, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-90-72 on the 5th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 6th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 7th day of December, 1972 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-09-06

SPECIAL ORDINANCE NO. S-WITHDRAWN

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for improvement of Ley Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 6, 1972, between the City of Fort Wayne, by and through its Board of Public Works, and JOHN DEHNER, INC., for:

Street Res. No. 5621-1972, improvement of Ley Road from the easterly pavement edge of State Road No. 3 to a point approximately 2666 feet east thereof,

for a total cost of \$211,678.39, of which approximately 72% shall be paid by the City and the balance being assessed to the property owners, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, be and the same is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

WITHDRAWAL OF SPECIAL ORDINANCE NO. S-72-09-06

On motion by Councilman Winfield Moses, Jr., BILL NO. S-72-09-06 seconded by Hinga,

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for improvement of Ley Road.

that this BILL NO. S-72-09-06, is hereby withdrawn for no further action by the Common Council of the City of Fort Wayne, Indiana, of BILL NO. S-72-09-06.

WITHDRAWN by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

WITHDRAWAL OF ANNEXATION ORDINANCE BILL NO. X-72-10-07

On motion by Councilman V. Schmidt, BILL NO. X-72-10-07 seconded by Burns,

AN ORDINANCE annexing certain territory to the
City of Fort Wayne and including the same in
Councilmanic District No.

that this BILL NO. X-72-10-07, is hereby withdrawn for no further action by the Common Council
of the City of Fort Wayne, Indiana, on BILL NO. X-72-10-07.

WITHDRAWN by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

WITHDRAWAL OF ANNEXATION ORDINANCE ■. BILL NO. X-72-10-08

On motion by Councilman V. Schmidt, BILL NO. X-72-10-08 seconded by Hinga,

AN ORDINANCE annexing certain territory to the
City of Fort Wayne and including the same in
Councilmanic District No.

that this BILL NO. X-72-10-08, is hereby withdrawn for no further action by the Common Council of
the City of Fort Wayne, Indiana on BILL NO. X-72-10-08..

WITHDRAWN by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

WITHDRAWAL OF ANNEXATION ORDINANCE BILL NO. X-72-10-09

on motion by Councilman V. Schmidt, BILL NO. X-72-10-09 seconded by Hinga,

AN ORDINANCE annexing certain territory to
the City of Fort Wayne and including the
same in Councilmanic District No.

that this BILL NO. X-72-10-09, is hereby withdrawn for no further action by the Common Council of
the City of Fort Wayne, Indiana, on BILL NO. X-72-10-09.

WITHDRAWN by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: December 5, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

BILL NO. S-72-12-39

SPECIAL ORDINANCE NO. S-94-72

AN ORDINANCE amending Special Ordinance No. S-89-72 to correct legal description and authorizing the sale of certain real estate near Schwartz Road owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana is the owner of certain real estate in Allen County, Indiana, said real estate being more particularly described as follows:

Part of the North half of Section 22, Township 32 North, Range 13 East in Allen County, State of Indiana, described as follows, to-wit:

Beginning at a point on the south line of the north-east one-quarter (1/4) of said Section, said point being situated 247.0 feet east of the center of said Section; thence north 28 degrees 59 minutes west seconds west 265.2 feet: thence south 84 degrees 40 minutes 12 seconds east 192.36 feet; thence south 3 degrees 37 minutes and 27 seconds east 252.0 feet to the place of beginning, containing 0.505 acres, more or less.

WHEREAS, said real estate is presently under the jurisdiction of the City Utilities of Fort Wayne, Indiana and its Board of Public Works, and was acquired in connection with the construction of Cedarville Reservoir, and now has no further use to the City of Fort Wayne, Indiana; and

WHEREAS, the Board of Public Works by Resolution under date of October 3, 1972 has determined that it will be to the best interest of the City of Fort Wayne, Indiana to offer said real estate for sale; the sale price thereof to be a sum in cash of not less than the full appraised value thereof, as determined by appraisers hereinbelow provided; said appraisers appointed in the manner required by law prior to the sale of municipal lands or interests in such lands, and provided further that such sale be made for a sum of not less than such appraised value; and

WHEREAS, heretofore on October 24, 1972 the Common Council of the City of Fort Wayne, Indiana duly adopted its Special Ordinance No. S-89-72 which was duly presented to the Mayor of the City of Fort Wayne, Indiana, and duly signed by said Mayor but said Special Ordinance No. S-89-72 contained an incorrect legal description due to error in the City Water Engineering Department of Fort Wayne and also incorrectly stated that said Fort Wayne, Indiana, whereas it is under the jurisdiction of the City Utilities of the City of Fort Wayne, Indiana.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne, Indiana be and he is hereby authorized and directed in the name of, for and on behalf of said City, to sell, grant and convey the real estate described above in fee simple, and sales price thereof to be a sum in cash of not less than the full appraised value thereof as determined by the appraisers hereinbelow provided.

SECTION 2. That upon full payment of the purchase price of said real estate to said City, the said Mayor, in the name of and for and on behalf of said City, shall be, and hereby is, authorized the directed to execute and deliver an instrument granting and conveying to the highest bidder for the purchase of said above described real estate in fee simple, and the signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne, Indiana, and accompanied by the seal of said City.

SECTION 3. The Judge of Allen Circuit Court be, and he is hereby requested to appoint three(3) disinterested freeholders of the City of Fort Wayne to appraise and determine the value of the above described real estate with a view to the sale of the same, and prior to such appraisalment the Board of Public Works shall advise said appraisers of the terms and conditions to be included in the instrument of conveyance which said Board considers necessary or advisable in the best interests of said City.

SECTION 4. This Ordinance shall be and continue sufficient authority for the Mayor and the Board of Public Works and the City Clerk of Fort Wayne, Indiana to effect the sale, grant and conveyance of said above described real estate in fee simple and to do all things incidental thereto or necessary therefor.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor

Winfield C. Moses
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-94-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-18

RESOLUTION NO. R-56-72

A RESOLUTION transferring certain funds in the 1972 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 8-4-43H, Repair Parts to complete December's business; and

WHEREAS, there are sufficient funds in Account No. 8-5-54H, Clothing Allowance to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$1,000.00 is hereby transferred from Account No. 8-5-54H Clothing Allowance to Account No. 8-4-43H, Repair Parts.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted. Placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City Council of the City of Fort Wayne, Indiana as Resolution No. R-56-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-19

RESOLUTION NO. R-57-72

A RESOLUTION transferring certain funds from the 1972 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 8-2-252H, Repair of Equipment, to complete December's business; and

WHEREAS, there are sufficient funds in Account No. 8-5-54H, Clothing Allowance to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$2,000.00 is hereby transferred from Account No. 8-5-54H, Clothing Allowance to Account No. 8-2-252H, Repair of Equipment.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-57-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-20

RESOLUTION NO. R-58-72

A RESOLUTION transferring certain funds in the 1972 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 8-3-331H, Household, Laundry & Cleaning to cover the expenses of December's business; and

WHEREAS, there are sufficient funds in Account No. 8-7-721H, Furniture & Fixtures to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$500.00 is hereby transferred from Account No. 8-7-721H, Furniture & Fixtures to Account No. 8-3-331H Household, Laundry & Cleaning.

Winfield C. Moses
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-58-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-21

RESOLUTION NO. R-59-72

A RESOLUTION transferring certain funds
from Account No. 8-2-22H in the 1972
Budget of the Fire Department - Gas-
oline Account.

WHEREAS, there are insufficient funds in Account No. 8-3-321H Gasoline, due to increased inspections by the Fire Department; and

WHEREAS, there are sufficient funds in Account No. 8-2-22H, Gas.

HOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

From Account No. 8-2-22H, Gas	\$3,000.00
To Account No. 8-3-321H, Gasoline	\$3,000.00

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-59-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 12:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-22

RESOLUTION NO. R-60-72

A RESOLUTION transferring certain funds in the
1972 Budget of the Fire Department.

WHEREAS, there are insufficient funds to finish the December business in Account No. 8-3-37H, Supplies General; and

WHEREAS, there are sufficient funds in Account No. 8-7-721H, Furniture & Fixtures.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following Accounts:

From Account No. 8-7-721H, Furniture & Fixtures the sum of \$1,000.00 to Account No. 8-3-37H, Supplies General.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-60-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-23

RESOLUTION NO. R-61-72

A RESOLUTION transferring certain funds in
the 1972 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 10-2-213 to cover the increased travel expense in the City Attorney's Office; and

WHEREAS, there are sufficient funds in Account No. 10-2-262, Legislative Reporting Service and Account No. 10-3-362, Stationery & Printing to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum are hereby transferred from the following Accounts:

From Account No. 10-2-262, Legislative Reporting Service \$300.00
From Account No. 10-3-362, Stationery & Printing, \$50.00

To Account No. 10-2-213, Travel Expenses, \$350.00

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None
 ABSENT: One
 Hinga

Date: December 12, 1972

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-61-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

John Nuckols
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-72-12-24

RESOLUTION NO. R-62-72

A RESOLUTION transferring certain funds
 in the 1972 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 10-7-72 to pay for equipment for the City Attorney's Office; and

WHEREAS, there are sufficient funds in Account No. 10-2-214, Telephone and Telegraph and Account No. 10-3-362, Stationery & Printing to cover such expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following Accounts:

\$167.00 from Account No. 10-2-214, Telephone and Telegraph
 \$400.00 from Account No. 10-3-362, Stationery & Printing

\$567.00 to Account No. 10-7-72, Equipment

Winfield C. Moses, Jr.
 Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
 Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 NAYS: None
 ABSENT: One
 Hinga

Date: December 12, 1972

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-62-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

John Nuckols
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-72-12-25

RESOLUTION NO. R-63-72

A RESOLUTION transferring certain funds from Account No. 14-2-212 and Account No. 14-3-363 in the 1972 Budget of the Three Rivers Coordinating Council.

WHEREAS, there are insufficient funds in Account No. 14-2-214 Telephone, to cover expenses for the year 1972; and

WHEREAS, there are insufficient funds in Account No. 14-2-243, Printing and Advertising, to cover expenses for the year 1972.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

From Account #14-2-212, Postage	\$260.00
To Account #14-2-214, Telephone	\$260.00

AND

From Account #14-3-363, Office Supplies	\$ 55.00
To Account #14-2-243, Printing and Advertising	\$ 55.00

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-63-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-26

RESOLUTION NO. R-64-72

A RESOLUTION transferring certain funds from Account No. 21-1-11, Account No. 21-5-51 and Account No. 21-6-62 in the 1972 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account No. 21-2-261, Other Services Contractual to pay for repairs to Franke Park Day Camp Building damaged by fire.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

From Account #21-1-11, Services Personnel	\$40,000.00
From Account #21-5-51, Rent	\$15,400.00
From Account #21-6-62, Retirement and Soc. Security	\$23,750.00

To Account #21-2-261, Other Services Contractual

\$79,150.00

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-64-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-27

RESOLUTION NO. R-65-72

A RESOLUTION transferring certain funds from Account No. 21-5-57 and Account No. 21-5-59 in the 1972 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account No. 21-3-35, Recreation Supplies, to cover expenses for the year 1972; and

WHEREAS, there are insufficient funds in Account No. 21-2-214, Telephone, to cover expenses for the year 1972.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

From Account #21-5-57, Taxes	\$3,000.00
To Account #21-3-35, Recreation Supplies	\$3,000.00

AND

From Account #21-5-57, Taxes	\$1,500.00
From Account #21-5-59, Service Agreements	\$1,000.00
To Account #21-2-214, Telephone	\$2,500.00

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-65-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-36

RESOLUTION NO. R-66-72

RESOLUTION APPROVING Action of Board of Public Works to
file its application for Federal Grant (Waynedale Area)

WHEREAS, the Housing and Urban Development Act of 1965, Section 702 as amended; Public Law 89-117; 19 Stat. 45: 489; 42 USCA 3101 provides for grants to construct water facilities and sewer lines;

WHEREAS, heretofore on December 5, 1972, the Board of Public Works of the City of Fort Wayne, Indiana adopted its Resolution No. 59-74-11 authorizing the filing of an application for a Federal Grant for Construction of 42,435+or- LINEAL FEET of 12" THRU 54" STORM SEWERS IN THE WAYNE DALE AREA and said City of Fort Wayne, Indiana intends to proceed with the construction of such works upon receipt of requested FEDERAL GRANT, and,

WHEREAS, said Board of Public Works has requested Councilmanic Approval of its said request for Federal Grant and,

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has duly considered said request.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Fort Wayne, Indiana does hereby adopt this Resolution permitting the Board of Public Works of the City of Fort Wayne, Indiana to file its application for a Federal Grant from the Department of Housing and Urban Development agreeing that if Federal Grant is approved assistance for project generally described as CONSTRUCTION of 42,435+or- LINEAL FEET of 12" THRU 54" STORM SEWERS IN THE WAYNE DALE AREA, the City of Fort Wayne will pay the remaining costs of the approved construction.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-66-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-37

RESOLUTION NO. R-67-72

RESOLUTION APPROVING action of Board of Public Works to file its application for Federal Grant (Water Transmission Mains)

WHEREAS, the Housing and Urban Development Act of 1965, Section 702 as amended; Public Law 89-117; 19 Stat. 45; 489; 42 USCA 3101 provides for grants to construct water facilities and sewer lines;

WHEREAS, heretofore on December 5, 1972, the Board of Public Works of the City of Fort Wayne, Indiana adopted its Resolution No. 59-75-12 authorizing the filing of an application for Federal Grant for a water improvement project generally described as CONSTRUCTION OF 111,575+or- LINEAL FEET of 12" THRU 24" WATER TRANSMISSION MAINS IN THE CITY OF FORT WAYNE, INDIANA; and the said City intends to proceed with the Construction of such mains upon receipt of requested Federal Grant; and,

WHEREAS, said Board of Public Works has requested Councilmanic Approval of its said request for Federal Grants; and

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, has duly considered said request.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Fort Wayne, Indiana does hereby adopt this Resolution permitting the Board of Public Works of the City of Fort Wayne, Indiana, to file its application for a Federal Grant from the Department of Housing and Urban Development agreeing that if Federal Grant is provided for assistance for project generally described as CONSTRUCTION of 111,575+or- LINEAL FEET of 12" THRU 24" WATER TRANSMISSION MAINS IN THE CITY OF FORT WAYNE, INDIANA, the City of Fort Wayne will pay the remaining costs of the approved construction.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nickols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-67-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-40

RESOLUTION NO. R-68-72

A RESOLUTION transferring certain funds from Account No. 4-1-11 in the 1972 Budget of the City Clerk's Office

WHEREAS, there are insufficient funds in Account No. 4-7-72 Equipment to pay for an additional typewriter and transcribing unit for Common Council of the City of Fort Wayne, and;

WHEREAS, there are insufficient funds in Account No. 4-5-55, for several subscriptions due this time of year.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

From Account #4-1-72,	Services Personal	\$1,105.00
From Account #4-1-72,	Services Personal	500.00
To Account #4-7-725,	Equipment	\$1,105.00
To Account #4-5-55,	Subscriptions & Dues	500.00

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

December 11, 1972

City Plan Commission
City County Building
One Main Street
Fort Wayne, Indiana 46802

Members of the Common Council
City County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Bill No. Z-72-11-07

Gentlemen and Mrs. Schmidt:

As the agent for Mr. Ronald Stoller, regarding Bill No. Z-72-11-07, we wish to request that said Ordinance be amended to change our requested zoning of B-1-B, Limited Business to B-2-A, Neighborhood Shopping Center.

The B-2-A zoning will require Mr. Stoller to follow the exact architectural planning as submitted. No change may be made without the express approval of the Plan Commission. This seemed to represent the general consensus held by the Council Members at their December 5th meeting.

The B-2-A rezoning of the total 5.7 acres will bring about a more effective and efficient use of the total site as opposed to the present B-1-A Zoning that is presently in effect on the 2.7 acres.

Your patient understanding and cooperation in this respect is appreciated.

Sincerely,

Robert D. Hodell, Agent

Ronald W. Stoller, Petitioner

"B2" - "B2A", Regional and Neighborhood Shopping Centers.

(1) All "B1" uses specifically listed in Section 14E for "B2" Centers; all of said uses except "B1B" uses (4) (see below) (5) (24) (25) and (26) for "B2A" Centers; provided, however, that no taverns, bars, or agriculture shall be permitted in either a "B2" or a "B2A" Center; subject to compliance with the following requirements:

(a) The tract involved shall be of an area of not less than ten (10) acres for a "B2" Center, and shall not be less than three (3) acres nor more than ten (10) acres for "B2A" Center, and lie wholly or partially within 1,400 feet of a point represented by a "B2" or "B2A" symbol on the Zoning Map.

(b) The owner or owners of such tract of land shall have prepared a preliminary development plan for the entire such tract.

(c) Such preliminary development plan shall have received the approval of the Commission.

(2) Plan Commission Procedure:

(iv) In the event the Commission shall approve and order such development plan changed, altered, amended or extended, it shall so notify the Building Commissioner, and he shall issue an amended Improvement Location Permit accordingly.

Note:

- (4) Car Wash
- (5) Printing Plant
- (24) Bowling Alley
- (25) Pool Hall
- (26) Theatre

Our proposed site plan as submitted with the request for B-1B zoning meets the requirements for a B-2-A symbol.

Robert D. Hodell

December 8, 1972

BILL NO. Z-72-11-07

ZONING MAP ORDINANCE NO. Z-17-72

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. HH-4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B2A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. HH-4 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The 2.70 acres of land in the Northeast 1/4 of the Fractional Northwest 1/4 of Section 18, Township 30 North, Range 12 East, Allen County, Indiana, and more particularly described as follows, to-wit:

Beginning at an iron pin at the intersection of the South right-of-way line of U.S. Highway #24, and the North and South Center line of Fractional Section 18, Township 30 North, Range 12 East, said point of intersection being 423.7 feet South of the North 1/4 corner of said Section 18; thence South 0 degrees 30 minutes East along the North and South center line of said Section 18, a distance of 238.0 feet; thence North 89 degrees 52 minutes West, a distance of 328.3 feet; thence South 0 degrees 30 minutes East a distance of 400 feet to a pipe, thence North 89 degrees 52 minutes West, a distance of 203 feet; thence in a northerly direction a distance of 300.8 feet to a point on the South right-of-way line of U.S. Highway #24, thence North 57 degrees 22 minutes East along said South right-of-way line of U.S. Highway #24, a distance of 626.45 feet to the point of origin, containing 2.70 acres, more or less.

The 0190 acres of land in the Northeast 1/4 of the Northwest 1/4 of Fractional Section 18, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at an iron pin at the intersection of the South right-of-way line of U.S. Highway #24, and the North and South center line of Fractional Section 18, Township 30 North, Range 12 East, said point of intersection being 423.7 feet South of the North 1/4 corner of said Section 18, thence South 0 degrees 30 minutes East along the North and South center line of said Section 18, a distance of 238.0 feet to the point of beginning for the tract of land herein described; thence continuing South 0 degrees 30 minutes East, along the aforesaid line, a distance of 120.0 feet; thence North 89 degrees 52 minutes West, a distance 120.0 feet; thence South 89 degrees 52 minutes East, a distance of 328.3 feet to the point of beginning, containing 0.90 acres of land, more or less.

The 1.06 acres of land in the Northeast Quarter of the Northwest Quarter of Fractional Section 18, Township 30 North, Range 12 East, in Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at an iron pin at the intersection of the South right-of-way line of U.S. Highway No. 24, and the North and South center line of Fractional Section 18, Township 30 North, Range 12 East, said point of intersection being 423.7 feet south of the North Quarter corner of said Section 18; thence south 0 degrees 30 minutes East along the North and South center line of said Section 18, a distance of 358.0 feet to the point of beginning for the tract of land herein described; thence continuing South 0 degrees 30 minutes East, along the aforesaid line a distance of 140.0 feet; thence North 89 degrees 52 minutes West, a distance of 328.3 feet thence North 0 degrees 30 minutes West, a distance of 140.0 feet; thence South 89 degrees 52 minutes East, a distance of 328.3 feet to the point of beginning, containing 1.06 acres of land, more or less.

The 1.06 acres of land in the Northeast 1/4 of the Northwest 1/4 of fractional Section 18, Township 30 North, Range 12 East in Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at an iron pin at the intersection of the South right-of-way line of U.S. Highway 324, and the North and South center line of Fractional Section 18, Township 30 North, Range 12 East, said point of intersection being 423.7 feet south of the North 1/4 corner of said Section 18; thence South 0 degrees 30 minutes East along the North and South center line of said Section 18, a distance of 498.0 feet to the point of beginning for the tract of land herein described; thence continuing South 0 degrees 30 minutes East, along the aforesaid line a distance of 140.0 feet; thence North 89 degrees 52 minutes West, a distance of 328.3 feet; thence North 0 degrees 30 minutes West, a distance of 140.0 feet; thence South 89 degrees 52 minutes East, a distance of 328.3 feet to the point of beginning, containing 1.06 acres of land, more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-17-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-08-26

GENERAL ORDINANCE NO. G-19-72

AN ORDINANCE providing for the declaration of nuisances in the case of abandoned, damaged buildings and vacant lots in the Central Business District and providing for abatement of the same.

WHEREAS, the Central Business District of the City of Fort Wayne, Indiana consists of the area bounded on the north by Superior Street, on the east by Clay Street, on the south by the Penn Central Railroad embankment and on the west by Fairfield Avenue; and

WHEREAS, many properties in said Central Business District are deteriorating, some of them to the point where they have been abandoned for business purposes; other buildings have been abandoned even though still structurally sound; other buildings have been damaged or destroyed as a result of fire and neither repaired or rebuilt; and

WHEREAS, the aforesaid conditions have created a physical and psychological blight which feeds on itself, becoming increasingly more severe and which is causing a deterioration in the value of properties throughout said Central Business District, with a resulting reduction in the assessed value of property for tax purposes and a decline in the number of people who visit said Central Business; and,

WHEREAS, the existence of abandoned and damaged buildings in large numbers in said Central Business District creates a haven for drug addicts, sexual perverts, thieves and derelicts; it creates a fire hazard; and, together with the existence of excavations where buildings formerly stood; it creates a danger to the safety of pedestrians and motorists; and

WHEREAS, unless checked, the aforesaid blight will eventually spread throughout said Central Business District, causing the removal from the tax rolls of properties which have in the past produced, and which continue to produce, substantial sums of tax revenue for the City of Fort Wayne and causing the said Central Business District to cease functioning as a business district which in turn would cause economic, social and cultural loss to the people of the City of Fort Wayne;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Central Business District of the City of Fort Wayne, Indiana is hereby defined as being that area bounded on the north by Superior Street, on the east by Clay Street, on the south by the Penn Central Railroad embankment and on the west by Fairfield Avenue.

SECTION 2. Any building, and any premises which become vacant of any building but which had formerly been occupied by a building or buildings and which buildings, or which premises are situated in the aforesaid Central Business District, is, and is hereby declared to be a nuisance, if any of the following conditions obtain:

- a) Such building has been damaged by fire or other casualty to such an extent that, following such fire, or other casualty, it ceased to be occupied and such building has remained unoccupied (except as it may have been occupied by persons seeking shelter on a day to day basis) for a period of two years from the date of said fire, or other casualty;
- b) Such building has been unoccupied (except as it may have been occupied by persons seeking shelter on a day to day basis) for a period of three years;
- c) Such premises remained vacant of any building for two years from the date they became vacant;
- d) Provided, however, that no such building or premises shall be considered a nuisance if, the owner shall have obtained the necessary permits for the repair and/or attention of any existing structure which has been unoccupied because of damage for the demolition of any existing building and its replacement with a new building or for the construction of a building upon any vacant premises;
- e) Or if an existing building or premises is economically productive by which is meant that such building or premises is subject to a lease and that an annual rent is paid on said lease in an amount equal to 10% of the assessed value of such building or premises.

SECTION 3. In the event any building or premises shall become a nuisance as herein provided, the Board of Public Works of the City of Fort Wayne, Indiana shall advise the owner the Fort Wayne Redevelopment Commission and the Economic Development Commission of such fact and each such Commission shall have 30 days within which to determine whether it will acquire title to the real estate in question pursuant to the provisions of the Redevelopment of Cities and Towns Act of 1953, as amended or the Municipal Economic Development Act of 1965, as amended. In the event either such commission shall determine to acquire title, they shall attempt to agree between themselves which shall acquire titles. In the event no such agreement is reached within 25 days, the Redevelopment Commission shall acquire title.

SECTION 4. In the event the Fort Wayne Redevelopment Commission shall not have notified the Board of Public Works of the City of Fort Wayne, Indiana of a determination to acquire title to the real estate in question within 30 days from the day said Board of Public Works advised said Commission of the existence of a nuisance on said real estate, said Board of Public Works shall notify the owner of said real estate of the existence of a nuisance on said real estate and shall further notify the owner that the owner must take steps to abate the nuisance within 60 days from the date of receipt of the notice and that, if the owner fails to do so, the Board of Public Works shall itself abate the nuisance within 60 days from the date of receipt of the notice and that, if the owner fails to do so, said Board of Public Works shall itself abate the nuisance and hold a lien against the real estate for the cost involved.

SECTION 5. Such notice shall be sent by registered or Certified mail, return receipt requested, to the address tax duplicates for said real estate are sent. In the event the owner is not at said address and the postal authorities are not apprised measures to locate the owner, including examination of the Fort Wayne City and suburban directories, that may seem appropriate and inquiry in the neighborhood. Said Board of Public Works shall also post a sign prominently upon said real estate, which sign shall give notice of the existence of a nuisance upon said real estate and request the owner, or anyone having knowledge of the whereabouts of the owner to contact the Board of Public Works.

SECTION 6. The owner of any real estate upon which is situated a nuisance as hereinabove described may abate the same a) by entering into a contract for the repair and/or alteration of any existing structure which has been unoccupied because of damage; b) by entering into contracts for the demolition of any existing building and its replacement with a new building or for the landscaping of the premises in a manner which will remove any hazard to the safety of pedestrians and motorists and which will remove all physical blight from the premises; c) by entering into a contract for the construction of a new building upon any vacant premises; d) by entering into a contract for the landscaping of any vacant premises in a manner which will remove any hazard to the safety of pedestrians and motorists and which will remove all physical blight from the premises; c) by entering into a contract for the construction of a new building upon any vacant premises; d) by entering into a contract for the landscaping of any vacant premises in a manner which will remove any hazard to the safety of pedestrians and motorists and which will remove all physical blight from the premises.

SECTION 7. In the event the owner of any real estate upon which is situated a nuisance as hereinabove described shall not have abated such nuisance within 60 days of receipt of the notice provided in Section 4 hereof or within 60 days of the posting of the sign provided for in Section 5 hereof, the Board of Public Works of the City of Fort Wayne, Indiana shall proceed to abate such nuisance by demolishing any building and by landscaping the premises in a manner which will remove any hazard to the safety of pedestrians and motorists and which will remove all physical blight from the premises. It shall be the duty, of said Board of Public Works to maintain such landscaping until the real estate is sold or otherwise alienated. Provided, however, that said Board of Works may extend the aforesaid 60 day period by an additional 60 days if said Board of Public Works determines that the owner of the real estate involved is making a good faith attempt to abate the nuisance upon such real estate.

SECTION 8. The Board of Public Works of the City of Fort Wayne, Indiana shall submit a bill for the labor, equipment and material used in said demolition and/or initial landscaping to the owner of the real estate involved. Thereafter said Board of Public Works shall submit a bill annually for the cost of maintaining any landscaping. If said bill is not paid within 90 days from the date of submission, said Board of Public Works shall proceed to file a lien against the property in the amount of the bill together with interest at the rate of 8% per annum and together with reasonable attorney fees which shall be used to help defray the expenses of the Law Department of the City of Fort Wayne, Indiana.

SECTION 9. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 10. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Five
Kraus, Nuckols, Moses, V. Schmidt, Stier
NAYS: Three
Burns, D. Schmidt, Talarico
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-19-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-33

Councilman Winfield C. Moses, Jr., moved to suspend the rules on passage of BILL NO. S-72-12-33, at this meeting of 12-12-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman James S. Stier, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and S-93-72 ORDINANCE was accordingly placed on its passage.

Date: December 12, 1972

John Nuckols
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-93-72

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

DATE: December 12, 1972

Charles W. Westerman
City Clerk

BILL NO. S-72-12-33

SPECIAL ORDINANCE NO. S-93-72

AN ORDINANCE approving a contract with SHIRMEYER ASSOCIATES, INC. for construction of a Sanitary Sewer in the area of Winchester and Dunkelberg Roads.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved December 5, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and SHIRMEYER ASSOCIATES, INC. for the construction of a Sanitary Sewer Resolution Nos. 116-72 and 117-72 in the area of Winchester and Dunkelberg Roads, as follows:

Commencing at an existing manhole at Station 43 + 33 on the St. Mary's Interceptor Sewer, Resolution No. 214; thence meandering Westwardly in and along a proposed 15 foot easement 1,383+ feet to the West right-of-way of Winchester Road; thence, Southeasterly in and along the Winchester Road a distance of 105 + feet to Manhole No. 7; thence Southwesterly in a meandering easement a distance of 665+ feet to the centerline of Midway and the Northeast line of Lot No. 6 extended Northerly in Winchester Heights Addition; thence, in and along a proposed easement a distance of 1,280+ feet to the intersection of Dunkelberg Road; thence, Southeasterly a distance of 240+ feet terminating at a proposed manhole in proposed Pheasant Run Addition.

for a total cost of \$53,750.00, at no cost to the City, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-93-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-41

Councilman Winfield C. Moses, Jr., moved to suspend the rules on passage of BILL NO. S-72-12-41, at this meeting of 12-12-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman James S. Stier, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and S-95-72 SPECIAL ORDINANCE was accordingly placed on its passage.

DATE: December 12, 1972

John Nuckols
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-95-72

ATTEST: (SEAL)
Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

DATE: December 12, 1972

Charles W. Westerman
City Clerk

BILL NO. S-72-12-41

SPECIAL ORDINANCE NO. S-95-72

AN ORDINANCE approving an Agreement with Boise Cascade Building Company for installation of a water main on the north side of Washington Center Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved November 16, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BOISE CASCADE BUILDING COMPANY, for installation of a water main, to be constructed and installed as follows;

On the north side of Washington Center Road, from the existing water main, located approximately 200 + feet west of the Penn Central R.R., eastward 380 + feet.

for a total cost of \$6,984.00, the City's proportionate share being \$2,539.00, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-95-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-12-05

GENERAL ORDINANCE NO. G-20-72

Whereas, on September 13, 1972, the Mayor of the City of Fort Wayne signed General Ordinance No. G-17-72 which extended for three months from and after September 13, 1972, the effective date of said Ordinance, and

WHEREAS, much time and study has gone into necessary consideration envisioned by said Ordinance but more time is needed to complete the study of the result to be accomplished.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That for three months from and after the effective date of this Ordinance no building permits will be issued for the construction establishments where gasoline and/or diesel fuel are sold to motorists and where gasoline and/or diesel fuel is transferred from pumps into fuel tanks of cars, trucks and/or other vehicles.

SECTION 2. All other provision and sections of General Ordinance No. G-04-72 are likewise extended for three months from and after the effective date of this Ordinance.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-20-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-02

SPECIAL ORDINANCE NO. S-91-72

AN ORDINANCE approving contract with JOHN DEHNER, INC. for emergency repairs to sewer lines in alley at rear of 1216 Morton Street and 1439 Edgewater Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved November 21, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC., for:

Furnishing labor, material and equipment
for emergency sewer repairs at 1216 Morton
in alley and 1429 Edgewater in alley

for a total cost of \$3,114.70, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 8296, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Burns seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-91-72 on the 12th day of December, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-03

SPECIAL ORDINANCE NO. S-92-72

AN ORDINANCE approving a contract with JOHN DEHNER, INC.
for emergency repairs to sewer line in 3600 block of
Wells Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. A certain contract approved November 28, 1972, between the City of Fort Wayne,
by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC., for:

Furnishing labor, material and equipment
for Emergency Sewer Repair in 3600 Block
of Wells Street

for a total cost of \$2,978.43, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER
NO. 8338, which is by reference incorporated herein and made part hereof, is hereby in all things
ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and
approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Burns seconded by Talarico and duly adopted,
placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance
No. S-92-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972
at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-72-12-15

GENERAL ORDINANCE NO. G-21-72

AN ORDINANCE authorizing and approving joinder of Board of
Works in petition to Public Service Commission of Indiana
for adjustment in electric rates.

WHEREAS, the cost of fuel in generating and distribution of electric utilities is one of
the largest items of operating expense; and

WHEREAS, the cost of purchased electricity is the largest single item of operating expense in the cost of each distribution utility; and

WHEREAS, City Utilities is not only a generating utility but is also a distribution utility and purchases much of its electric light and power from Indiana & Michigan Electric Company at wholesale rate, which said wholesale rate is also affected by the upward and downward adjustment in fuel costs; and

WHEREAS, the petition of various utility companies to be presented before the meeting of the Public Service Commission on January 8, 1973 if granted would operate so as to permit each generating utility and each distribution utility engaged in electric distribution service, subject to the rate making jurisdiction of the Commission to make correlative changes in its consumer rate schedules from time to time in effect on file with the Commission, corresponding in all material and appropriate respects with changes in the cost of fuel.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, that approval is hereby given to the Board of Public Works of the City of Fort Wayne, Indiana to join in a petition to the Public Service Commission of Indiana to effectively request an Order authorizing and approving the fuel adjustment clauses as proposed in said petition and the adjustment of such fuel adjustment clauses by either electric public utilities and municipally owned electric utilities to accomplish the above and foregoing.

THIS ORDINANCE shall be in full force and effect from its passage and signature by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Burns seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Hinga

Date: December 12, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-21-72 on the 12th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

John Nuckols
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of December, 1972 at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-28

SPECIAL ORDINANCE NO. S-97-72

A SPECIAL ORDINANCE establishing a Lieutenant's Rank in the Communications Department in the City of Fort Wayne, Indiana and amending Special Ordinance S-61-72 by fixing the salary for such position for the year of 1972.

WHEREAS, the population and size of the City of Fort Wayne, Indiana, are increasing together with the number of police patrol units in said City; and

WHEREAS, the members of the Communications Department will handle approximately one quarter million police incident dispatches during the year, together with approximately 3,600 fire dispatches, and the members of said department will also handle an estimated million and one half incoming calls during said year; and

WHEREAS, proper utilization of the personnel of the Communications Department and proper discipline requires that a lieutenant be appointed to exercise command of said department.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created in the Communications Department of the City of Fort

Wayne, Indiana, a lieutenant.

SECTION 2. The salary for said position shall be \$9,836.00 per annum.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-97-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-44

Councilman William T. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-44, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE S-102-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-102-72

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-44

SPECIAL ORDINANCE NO. S-102-72

AN ORDINANCE approving a certain bid document with
HEFNER CHEVROLET, INC. for 1 - 1973 Four Door Sedan.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 488 dated November 9, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Fire Department, and HEFNER CHEVROLET, INC., for

1 - 1973 Four Door Sedan as per specifications with Warranty.

as more specifically set forth in said bid document Ref. No. 488 and Purchase Order No. 3-11907, which are on file in the office of the Department of Purchasing, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-102-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-46

Councilman William T. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-46, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE No. S-103-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-103-72

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-46

SPECIAL ORDINANCE NO. S-103-72

AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. and HEFNER CHEVROLET, INC., for 5- 1973 Four Door Sedans and 1- 1973 Four Door Sedan.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 481 dated October 31, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Safety, Police Department, for:

POINSATTE MOTORS, INC.
5- 1973 Four Door Sedans, Police Package with Five trand-ins.

HEFNER CHEVROLET, INC.
1- 1973 Four Door Sedan, with One trand-in.

as more specifically set forth in said bid document Ref. No. 481 and Purchase Order No. 3-11575-E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

AYES: Six

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-103-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-47

Councilman W. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-47, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE NO. S-104-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-104-72

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-47

Councilman W. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-47, at the meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE No. S-104-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the

SPECIAL ORDINANCE NO. S-104-72

AN ORDINANCE approving a certain bid document with GENERAL TRUCK SALES for 3/4 ton pick up.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 489 dated November 9, 1972, between the City of Fort Wayne by and through its Mayor and the Board of Public Safety, Fire Department, for:

1973 - 3/4 Ton Cab & Chassis per specifications, including Warranty. With Trade-in.

as more specifically set forth in said bid document Ref. No. 489 and Purchase Order No. 3-11908, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-104-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-48

Councilman W. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-48, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special Ordinance No. S-105-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, D. Schmidt, Stier, Talarico, Moses
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-105-72

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman

BILL NO. S-72-12-48

SPECIAL ORDINANCE NO. S-105-72

AN ORDINANCE approving a certain bid document with
ALLEN COUNTY MOTORS for 2- 1973 Four Door Sedans.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 490 dated November 9, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Fire Department, and ALLEN COUNTY MOTORS, for

2- 1973 Four Door Sedans, Police Package
as per specifications enclosed, with Warranty.
With Trade-ins.

as more specifically set forth in said bid document Ref. No. 490 and Purchase Order No. 3-11909, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-105-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-49

RESOLUTION NO. R-69-72

A RESOLUTION transferring certain funds
in the 1972 Budget of the Law Department.

WHEREAS, Account No. 10-1-11 contains the sum of \$8,000.00 which sum was appropriated but never expended for the salary of an additional city attorney; and

WHEREAS, it has been the policy to minimize the use of outside counsel; and

WHEREAS, such counsel have submitted bills in large amounts for services performed prior to 1972, but not billed until 1972; and

WHEREAS, such outside counsel have submitted bills for services performed in 1972, but which services were in fact performed in the continuation of matters commenced prior to 1972.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$8,000.00 is hereby transferred from Account No. 10-1-11, Salaries and Wages to Account No. 10-2-263, Special Counsel.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six:
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-69-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-50

RESOLUTION NO. R-70-72

A RESOLUTION amending Resolution No. R-45-72 approving Open-Space Land Grant Application Part A & B with U.S. Department of Housing and Urban Development.

WHEREAS, under Title IV of the Housing and Urban Development Act of 1970, the Secretary of Housing and Urban Development is authorized to extend financial assistance to local public bodies to provide, preserve, and develop open-space land, and develop and improve open space and other public urban land; and

WHEREAS, the City of Fort Wayne desires to develop and improve its existing municipal park system, and

WHEREAS, the City of Fort Wayne is concerned about providing safeguards to preserve and develop open space land which is essential to the proper long range development and welfare of the city's urban area; and

WHEREAS, heretofore on _____ Resolution No. R-45-72 was duly enacted but the Open-Space Land Grant Application Part A & B have been changed to correspond with Rhetorical paragraph 1 hereafter set forth.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. The Open Space Land Grant Application Part A & B are hereby approved for the expansion and improvement of the following municipal parks: Justin Study Park, Hanna-Homestead Park, Reservoir Park, Swinney Park as well as a portion of Adams School described on Exhibit "A" hereto.

2. The financial assistance available under the Housing and Urban Development Act of 1970, is needed to enable the City of Fort Wayne to finance the expansion and improvement proposed in said application.

3. The City of Fort Wayne, Indiana, is authorized to file the Open Space Land Grant Application Part A & B for the expansion and improvement of the municipal parks indicated in said application.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-70-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-55

RESOLUTION NO. R-71-72

A RESOLUTION establishing and appointing two (2) Clerks and One Bookkeeper in the Office of the City Clerk of Fort Wayne, Indiana.

WHEREAS, collections from patrons from City Light, Water and Sewer Departments charges for use of such utilities will be payable to the office of the City Clerk of Fort Wayne, Indiana from and after January 1, 1973; and

WHEREAS, it will be necessary for said City Clerk to employ two (2) Clerks and one (1) Bookkeeper in order to staff the office of said City Clerk of Fort Wayne for said above purpose.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. There is hereby establishing in the office of the City Clerk of Fort Wayne, Indiana one additional bookkeeper at an annual salary of \$6710.00 and two office Clerks at an annual salary of \$5,500.00 each, all of which salaries shall be appropriated from the General Fund of the City of Fort Wayne, Indiana.

2. Said above salaries of one Bookkeeper and two Office Clerks shall be paid by said City Clerk and said salaries shall be reimbursed by City Utilities to the General Fund of the City of Fort Wayne.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Resolution) No. R-71-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-57

RESOLUTION NO. R-72-72

A RESOLUTION establishing and appointing on a part time basis one Attorney and one Clerk for said Attorney for the Common Council of the City of Fort Wayne, Indiana.

WHEREAS, pursuant to IC 18-2-3.5-1 (Burns Ind. Rev. Stat. 1972 Cum. Poc. Supp. 48-1428) The Common Council of the City of Fort Wayne, Indiana is empowered to hire, on a part time basis, one or more competent Attorneys and/or legal research assistants on terms which the common council may deem appropriate; and,

WHEREAS, the Common Council of the City of Fort Wayne, Indiana has deemed it necessary to employ the services of its own Attorney on a part time basis to assist said Common Council in legal matters pertaining to the conduct of its functions; and

WHEREAS, it is necessary for said Attorney to utilize part time services of a Clerk.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. There is hereby hired for the Common Council of the City of Fort Wayne a part time Attorney for said Common Council and there is hereby hired a part time Clerk for said Attorney, whose salaries shall be appropriated from the General Fund of the City of Fort Wayne in accordance with an Appropriation Ordinance fixing same.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by D. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

DATE: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-72-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lehamoff
Mayor

BILL NO. S-72-12-29

SPECIAL ORDINANCE NO. S-98-72

AN ORDINANCE approving a certain bid document with Hefner Chevrolet for 1973-4 Door Station Wagon.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 486 dated November 28, 1972 by and through its Mayor and the Traffic Engineering Department for:

1973 - 4 Door Station Wagon, Police Package with trade-in

as more specifically set forth in said bid document Ref. No. 486 and Purchase Order 11550 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

DATE: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-98-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972

at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-30

SPECIAL ORDINANCE NO. S-99-72

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS for 1973 one ton truck cab and chassis.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 480 dated October 31, 1972 by and through its Mayor and the Traffic Engineering Department for:

1973 one ton truck and chassis
as more specifically set forth in said bid document Ref. 480 and Purchase Order No. 11441 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt,

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-99-72 on the 28th day of December, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December 1972 at the hour of 3:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-31

SPECIAL ORDINANCE NO. S-100-72

AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET for 3/4 ton wide-side pick up truck.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 480 dated November 20, 1972 by and through its Mayor and the Traffic Engineering Department for:

1973 3/4 ton wide-side pick up truck

as more specifically set forth in said bid document Ref. 480 and Purchase Order No. 11440 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and

and amade a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-100-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-46

Councilman W. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-46, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE NO. S-103-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-103-72

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-46

SPECIAL ORDINANCE NO. S-103-72

AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. and HEFNER CHEVROLET, INC., for 5- 1973 Four Door Sedans and 1- 1973 Four Door Sedan.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 481 dated October 31, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Police Department, for:

POINSATTE MOTORS, INC.

5- 1973 Four Door Sedans, Police Package with Five trade-ins.

HEFNER CHEVROLET, INC.

1- 1973 Four Door Sedan, with One trade-in

as more specifically set forth in said bid document Ref. No. 481 and Purchase Order No. 3-11575-D which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six

Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico

NAYS: None

ABSENT: Three

Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-103-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-47

Councilman W. Hinga, moved to suspend the rules on passage of BILL NO. S-72-12-47, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special Ordinance No. S-104-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six

Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico

NAYS: None

ABSENT: Three

Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-104-72.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-47

SPECIAL ORDINANCE NO. S-104-72

AN ORDINANCE approving a certain bid document with GENERAL TRUCK SALES for 3/4 ton pick up.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 489 dated November 9, 1972, between the City of Fort Wayne by and through its Mayor and the Board of Public Safety, Fire Department, for:

1973 - 3/4 Ton Cab & Chassis per specifications,
including Warranty. With Trade-in.

as more specifically set forth in said bid document Ref. No. 489 and Purchase Order No. 3-11908, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Moses and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, V. Schmidt, Nuckols

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-104-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-32

SPECIAL ORDINANCE NO. S-101-72

AN ORDINANCE approving a certain bid document with JAMES H. DREW CORP. for Signal Installation at Lake Ave. and Reed Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 483 dated November 22, 1972 by and through its Mayor and the Traffic Engineering Department for:

Traffic Signal installation Lake
Avenue and Reed Road

as more specifically set forth in said bid document Ref. 483 and Purchase Order No. 11482 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein

and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-101-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-09-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. CC-18, have ~~had~~ said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance ^{be} Withdrawn.

Eugene Kraus, Jr.
James Stier
William T. Hinga

BILL NO. S-72-11-16

SPECIAL ORDINANCE NO. S-96-72

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. and DEHAVEN CHEVROLET, INC. for six (6) motor vehicles.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 475 dated October 30, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and ALLEN COUNTY MOTORS, INC. and DEHAVEN CHEVROLET, INC., for

Allen County Motors, Inc.

- (a) Item 1 - One (1) Two Door Sedan-Police Package
- (b) Item 2 - One (1) Two Door Sedan-Police Package
- (c) Item 3 - One (1) Van type 12 Passenger Truck
- (e) Item 5 - One (1) Six Passenger Four Door Station Wagon

DeHaven Chevrolet, Inc.

- (d) Item 4 - Two (2) Full Four Door Sedans Total \$17,524.00

as more specifically set forth in said bid document Reference No. 475 and Purchase Order No. P.O. 3-10982 and P.O. 3-10983, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-96-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-52

Councilman Kraus, moved to suspend the rules on passage of Bill No. S-72-12-52, at the meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special Ordinance No. S-106-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-106-72.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

DATE: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-52

SPECIAL ORDINANCE NO. S-106-72

AN ORDINANCE approving a certain bid document with GENERAL ELECTRIC CO. for 37 Transceivers and Battery Chargers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. 494 dated December 5, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Communications Department, and GENERAL ELECTRIC CO., for

- 27 - "2 watt" 4 frequency portable transceivers
- 10 - "2 Watt" 6 frequency portable transceivers
- 74 - Rechargeable batteries for above radios
- 8 - Charge rack units

as more specifically set forth in said bid document Ref. No. 494 and Purchase Order No. 3-11775-G, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-106-72 on the 28th day of December, 1972.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-72-12-53

Councilman Kraus, moved to suspend the rules on passage of BILL NO. S-72-12-53, at this meeting of 12-28-72, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Moses, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE No. S-107-72 was accordingly placed on its passage.

DATE: 12-28-72

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-107-72.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Date: 12-28-72

Charles W. Westerman
City Clerk

BILL NO. S-72-12-53

SPECIAL ORDINANCE NO. S-107-72

AN ORDINANCE approving a certain bid document with ELLIOTT EQUIPMENT CORPORATION for Traffic Signals.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 477 dated December 5, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, Traffic Engineering Signal Division, and ELLIOTT EQUIPMENT CORPORATION, for

88 - 12 inch Traffic Signals as per spec.	\$ 9,504.00
8 - 4-way Mounting hardware complete	432.08
8 - 3-way Mounting hardware complete	422.40
8 - 2-way Mounting hardware complete	340.40
	<u>\$10,698.88</u>

as more specifically set forth in said bid document Ref. No. 477 and Purchase Order No. 3-11783-II, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Moses, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Three
Burns, Nuckols, V. Schmidt

Date: December 28, 1972

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-107-72 on the 28th day of December, 1972.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1972 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of December, 1972 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-45

SPECIAL ORDINANCE NO. S-02-73

AN ORDINANCE approving Agreement to Purchase real estate from Joe H. Cook and Annie R. Cook.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement to Purchase real estate, dated October 12, 1972, between the City of Fort Wayne, by and through its Mayor and Board of Public Works, and Joe H. Cook and Annie R. Cook, for the real estate described as follows, to-wit:

The North twenty-six (26) feet of Lot number
Two Hundred Eleven (211) in Lewis addition to
the City of Fort Wayne.

(1807 So. Lafayette Street)

for the sum of \$4,400.00, cash to be paid upon the delivery of a good and sufficient Warranty Deed for said real estate, all as more particularly set forth in said Agreement to Purchase, which is by

reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Nuckols and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-02-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1973 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-54

SPECIAL ORDINANCE NO. S-01-73

AN ORDINANCE approving Agreement to Purchase real estate from Janet Sundheimer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement of Janet Sundheimer, unmarried and over the age of 21 years, with the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the real estate described as follows, to-wit:

The West 90 feet of the North 61 5/10 feet of Lot Number 1 Anthony Hiblers Addition to the City of Fort Wayne, Indiana, according to the recorded plat thereof.

in consideration of the City of Fort Wayne's assumption of all taxes due thereon to be paid by said City of Fort Wayne upon the delivery of a good and sufficient General Warranty deed for said real estate, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-01-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1973 at the hour of 4:00 o'clock P.M.,
E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-72-12-59

SPECIAL ORDINANCE NO. S-03-73

A SPECIAL ORDINANCE approving the creation of a certain appointive office and amending Special Ordinance No. S-61-72 by fixing the salary for such appointive office for the year of 1973.

WHEREAS, it is anticipated that the Federal Government will require cities to engage in comprehensive planning and to integrate these departments charged with responsibility for community development and planning; and

WHEREAS, the City of Fort Wayne is desirous of meeting any such requirements which may be imposed as a condition to the receipt of grants from the Federal Government; and

WHEREAS, the City of Fort Wayne is desirous of preparing itself so as to obtain the maximum benefit from funds received through the revenue sharing program; and

WHEREAS, the City of Fort Wayne is desirous of engaging in such planning as will enable it most fully to meet the needs of its residents and businesses;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created the appointive office of Director of Community Development and Planning.

SECTION 2. Special Ordinance S-61-72 is hereby amended by providing that the compensation to be paid such Director of Community Development and Planning shall be \$21,500.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier
NAYS: Three
Burns, D. Schmidt, Talarico

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-03-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1973 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-01-06

SPECIAL ORDINANCE NO. S-04-73

AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC.

WHEREAS, it is essential to the present and future health, and to the future development, of the City of Fort Wayne, that the City and its environs be served with an adequate sewage disposal system operating under sound and financially responsible management; and

WHEREAS, as long ago as the mid-1960's the City of Fort Wayne has received many requests to extend its sewer services into the area lying southeast of its municipal limits and south of the Maumee River, which area even then suffered from a sewage pollution problem; and

WHEREAS, the City of Fort Wayne has proposed to construct an interceptor Sewer in the northern portion of said area, dependent upon certain federal funds being supplied, which funds did not become available; and

WHEREAS, when it was learned that federal funds would not be available for the construction of said interceptor sewer, the City of Fort Wayne entered into an agreement with INDIANA SUBURBAN SEWERS, INC., which agreement was adopted by the Common Council of the City of Fort Wayne on April 29, 1966; and

WHEREAS, said agreement provided, in general, that INDIANA SUBURBAN SEWERS, INC. would construct a sewer system within the aforesaid area; that said system would conform with the standards and specifications of the City of Fort Wayne; that the City of Fort Wayne would treat sewage collected by INDIANA SUBURBAN SEWERS, INC. within the aforesaid area; that INDIANA SUBURBAN SEWERS, INC. would compensate the City of Fort Wayne for such treatment; and that the City of Fort Wayne would have an option to purchase the sewer system of INDIANA SUBURBAN SEWERS, INC. within the aforesaid territory; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. entered into an agreement with SUBURBAN SERVICES, INC. under which the latter was to construct the sewage disposal system contemplated by the aforesaid agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC.; and

WHEREAS, the construction work on said sewer system has progressed to such a point that INDIANA SUBURBAN SEWERS, INC. was rendering sewage disposal service within the aforesaid area by the year 1969; and,

WHEREAS, the City of Fort ^{Wayne} began, in 1969, to treat sewage, collected by INDIANA SUBURBAN SEWERS, INC. and,

WHEREAS, the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. have been engaged in controversy as to the compensation INDIANA SUBURBAN SEWERS, INC. is to pay the City of Fort Wayne for treatment of sewage, and INDIANA SUBURBAN SEWERS, INC. paid no compensation to the City of Fort Wayne for treating its sewage; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. have become delinquent in their accounts with certain secured creditors; and

WHEREAS, the City of Fort Wayne had become concerned over the slowness with which construction of the sewer system was progressing; and

WHEREAS, the financial difficulties of INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. had become so serious by the winter of 1970-71 that the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. began negotiations looking toward the amendment of the aforesaid agreement so as to permit the City to purchase a portion of the aforesaid sewer system, thus providing funds with which INDIANA SUBURBAN SEWERS, INC. could meet its obligations in part, and thus providing Fort Wayne with operating control over a portion of said system and the right to receive and obtain all revenues accruing from the operation of such portion; and

WHEREAS, the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. entered into an agreement signed by the Board of Public Works of the City of Fort Wayne under date of November 23, 1971, accepted by INDIANA SUBURBAN SEWERS, INC. and date of December 6, 1971, approved in Special Ordinance No. S-773-71 adopted by the Common Council of the City of Fort Wayne on December 28, 1971; and

WHEREAS, said agreement, among other things, would have effected an amendment of the earlier agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. and would have permitted the City of Fort Wayne to purchase a portion of the aforesaid sewer system for the sum of One Million Thirty Seven Thousand Dollars (\$1,037,000), against which delinquent service charges were to be credited; and,

WHEREAS, the parties became embroiled in controversy before the Public Service Commission of Indiana with regard to the description to the portion of the aforesaid sewer system which would have been sold pursuant to said agreement executed in 1971; and

WHEREAS, by order dated December 22, 1972 in Cause No. 32 876 said Public Service Commission of Indiana refused to approve said agreement executed in 1971; and

WHEREAS, on December 20, 1972 the Allen Superior Court had entered judgment against INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC., in Cause No. S-72-148, which action was American Fletcher National Bank and Trust Company, plaintiff vs. Indiana Suburban Sewers, Inc. and Suburban Services Inc., defendants and John Dehner, Inc., defendant and cross-complainant; and

WHEREAS, said judgement ordered that American Fletcher National Bank and Trust Company recover from INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. jointly and severally the sum of Eight Hundred

Ninety-Five Thousand Six Hundred Forty-Four Dollars and Thirty-One Cents (\$895,644.31), together with interest and costs, and said judgment further ordered that JOHN DEHNER, INC. recover from INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC., jointly and severally, the sum of One Hundred Fifty-Four Thousand Eight Hundred Dollars and Thirty-Five Cents (\$154,880.35); and

WHEREAS, said judgment further ordered the sale on foreclosure of the sewer system and all the property, real and personal, tangible and intangible, owned by INDIANS SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. within the rural area southeast of the City of Fort Wayne, which once had been franchised to INDIANA SUBURBAN SEWERS, INC. by the Public Service Commission of Indiana in the aforesaid Cause No. 31154 and which is the area which was the subject of the agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC., which agreement was approved by said Public Service Commission of Indiana, with exceptions not here material, in said Cause No. 31154, as aforesaid; and

WHEREAS, the purchase of said property on foreclosure by the City of Fort Wayne would enable the City to begin operating so much of the sewer system as is completed, and to complete and operate the remainder of said system, thereby permitting the City to receive the revenues derived from said operation and freeing the City from dependence upon INDIANA SUBURBAN SEWERS, INC., from additional controversy with INDIANA SUBURBAN SEWERS, INC. and from any future controversy with the creditors of INDIANA SUBURBAN SEWERS, INC.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Board of Public Works of the City of Fort Wayne is hereby authorized to purchase all the property of INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. at the foreclosure sale to be held by the Sheriff of Allen County, Indiana pursuant to the aforesaid judgment for a sum not to exceed One Million Thirty-Seven Thousand Dollars (\$1,037,000.00).

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-04-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1973 at the hour of 4:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-11-05

ZONING MAP ORDINANCE NO. Z-Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2936, and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E-2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 110,111,112,113,114 and 115 Slataper's Addition and that part of lot numbered 116 Slataper's Addition which is south-west of Raymond St. all in Fort Wayne, Allen County, Indiana, as recorded in the office of the Recorder of said County in Deed Record 646 at page 1 and in Deed Record 732 at page 381.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and

legal publication thereof.

Eugene Kraus, Jr.
Councilman

Bill No. Z-72-11-05

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. E-2 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be withdrawn.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul "Mike" Burns
Donald J. Schmidt

BILL NO. Z-72-11-06

ZONING MAP ORDINANCE NO. Z-01-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H-9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. H-9 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

E 461.5' of the S 1.704', E 1/2 SE 1/4 except the S 435.93' containing approximately 13.60 acres, more or less, Section 32 and the N 32 and the North 340' of the S 1.226' of the W 289.0' of the E 748', SE 1/4 containing approximately 2.25 acres, more or less, Section 32 consisting of a total area of 15.85 acres, more or less, City of Fort Wayne, County of Allen, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt Stier, Talarico
NAYS: None

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-01-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1973 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-72-11-08

Report of the Committee on REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. B-17 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be Withdrawn.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul "Mike" Burns
Donald J. Schmidt

BILL NO. G-72-12-51

GENERAL ORDINANCE NO. G-Defeated

AN ORDINANCE requiring a permit to transport oversize or overweight vehicles and objects on City streets, fixing permit fees, and providing penalties.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It shall be unlawful for any person to transport any oversize or overweight vehicle and/or object, as defined from time to time by the Indiana General Assembly, on the streets of Fort Wayne unless such person first secures a permit to operate the same.

SECTION 2. Applications for such permit shall be made in writing to the Board of Public Works of the City or to any department designated by the Board of Works to issue such permits, on forms to be provided by the Board of Public Works.

SECTION 3. The application shall be accompanied by a fee of \$10.00 for each permit to exceed the legal width, length, height, or weight limit. The fee for oversize equipment shall be \$25.00 for a ninety (90) day period of time.

SECTION 4. Any person failing to comply with or violating any of the provisions of Sections 1, 2, or 3, shall upon conviction, be fined \$100.00 for each violation, shall be liable for any damages caused by such unlawful operation, and, if overweight, shall in addition be assessed a civil penalty as set out in Section 47-536a a Burns Indiana Statutes.

SECTION 5. This Ordinance shall be in effect from and after its passage and approval by the Mayor.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols seconded by Hinga and duly adopted, placed on its passage. Lost by the following vote:

AYES: None

NAYS: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: January 9, 1973

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. G-72-12-06-AMENDED

GENERAL ORDINANCE NO. G -01-73

AN ORDINANCE dealing with abandoned, vacated or converted motor vehicle filling and service stations.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. During the period when a motor vehicle filling and service station is vacated, closed, or otherwise not opened for business for more than sixty (60) consecutive days, the owner or lessee thereof shall be subject to complying with the following regulations:

- a) Vehicular parking and storage shall be prohibited at all times anywhere on the premises, and the owner or lessee shall post a sign or signs on the premises giving notice that all parked or stored vehicles are subject to ticketing and removal by the City at the vehicle owner's expense. In addition, the owner or lessee, whoever is in possession, is subject to ticketing if unlawfully, parked or stored vehicles are permitted on the premises by consent of owner or lessee. The City shall have the right of entry to said property for the purpose of accomplishing said ticketing and removal.

- b) The ground shall be kept free of rubbish and debris, the sidewalks shall be kept free of snow, and the grass, if any, shall be well kept and cut as necessary so as to present a neat and attractive appearance at all times.
- c) The owner shall maintain a record of the name and address of the person or firm who cleaned the premises and removed the debris; such record shall be made available to the inspectors of the Board of Public Works; and further, each entry in said record shall be kept at least one year.

SECTION 2. Within sixty (60) days of such closing all curb cuts across the driveway entrances and all other points of ingress and egress to the premises shall be closed by the owner or lessee to vehicular traffic by properly placed and secured precast concrete wheel stops or the equivalent, as may be approved by the Board of Public Works.

SECTION 3. A motor vehicle filling and service station which is vacant, closed, or not opened for business for a period of one hundred eighty (180) consecutive days or which is not operating for a lesser period if intention to abandon is evidenced by removal of pumps or other such facilities or other such action, shall be prima facie deemed abandoned. An owner of an abandoned motor vehicle filling and service station is subject to notice from the Board of Public Works directing the razing, demolition, and removal of all buildings, structures, pumps and signs situated upon the premises, together with the removal of all underground storage tanks or their filling with inert material. Said razing and removal is to be accomplished within sixty (60) days from date of said notice. Owner shall complete said demolition, leaving the premises free from rubbish and debris, and shall properly backfill all excavation area. Owner shall have the right, in lieu of complying with the demolition order, to petition Board of Public Works of the City of Fort Wayne within thirty (30) days showing cause why said motor vehicle filling and service station should not be considered abandoned, and a sixty (60) day extension of the demolition order shall be granted by said Board so that the station may be reopened or converted to an alternate business use. No more than two (2) sixty (60) day extensions shall be granted. The said Board of Public Works shall, in making its finding, take into consideration but not necessarily be limited to, the following criteria:

- a) Prospects for alternate of future use.
- b) Pending litigation or condemnation affecting subject property.
- c) Pending or contemplated road changes.
- d) Character and trends of development in the neighborhood.
- e) Pending sale or lease transactions concerning subject property.

SECTION 4. If, within the one hundred eighty (180) consecutive day period heretofore referred to, the property has been sold or leased for alternate business purposes and an affidavit to this effect has been filed with the said Board of Public Works, then demolition shall be deferred.

SECTION 5. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, section, clause, provision, or portion of this ordinance.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Stier seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-01-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January, 1973 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. G-72-05-29

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance amending Section 3, 6, and 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to service station uses and abandoned service station buildings, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be withdrawn.

James S. Stier
Samuel J. Talarico
William T. Hinga
Vivian G. Schmidt

BILL NO. R-73-01-01

RESOLUTION NO. R-01-73

RESOLUTION AUTHORIZING ACTION OF BOARD OF PUBLIC WORKS IN
CONNECTION WITH THE CONSTRUCTION OF THE ST. JOE INTERCEPTOR
SEWERS.

WHEREAS, the Common Council of the City of Fort Wayne has authorized the proper officers of said City to apply to the Environmental Protection Agency ("E.P.A.") for a grant of funds to be used on the construction of the St. Joe Interceptor Sewers, said authorization being set forth in resolution No. R-53-72; and

WHEREAS, said application has been made; and

WHEREAS, E.P.A. requires further assurances from the City as a condition of approving said application and making said grant;

NOW THEREFORE, BE IT RESOLVED that said Common Council does hereby authorize and direct the Board of Public Works of the City of Fort Wayne to proceed forthwith with the construction of said St. Joe Interceptor Sewers as soon as E.P.A. approves said application and makes said grant and the Common Council of the City of Fort Wayne hereby further authorizes the Board of Public Works of the City of Fort Wayne to provide the funds for the purpose of financing the City's share of said construction, it being understood that the City's share shall not exceed 15%, it being further understood that said Board of Public Works shall submit each individual construction contract to the Common Council for its approval.

Paul "Mike" Burns
Councilman

Read the thirdtime in full and on motion by Burns seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 9, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-01-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of January 1973 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-01-23

RESOLUTION NO. R-05-73

A MEMORIAL RESOLUTION OF THE OCCASION OF THE DEATH OF
THE 36TH PRESIDENT OF THE UNITED STATES - LYNDON B. JOHNSON.

Once again in less than the span of a month we mourn the death of another President of the United States. This man was a great leader in the never ending struggle for freedom and equal justice.

The son and grandson of frontier lawmakers, Lyndon B. Johnson died January 22nd, 1973. He began his career as a teacher of underprivileged people in the State of Texas.

He served his country in World War II and was awarded the Silver Star.

His earlier career was best known as being a Senate minority and later a Senate majority leader. During this time he fostered Civil Rights Legislation of the most far reaching consequences in 80 years time since the end of the Civil War.

As Vice-President of the United States it became his painful duty to assume the Presidency upon the assassination of President John F. Kennedy. He was subsequently elected President of the United States. Among the several programs involving social legislation which he sponsored were the Medicare Program for the Aged. He also placed the full weight of his office behind legislation for educational aid.

Confronted with the Viet Nam war he sought to conclude the participation of the United States therein by initiating the Paris Peace talks. He did not live to see the end of our participation in that conflict, but prayerfully we hope it may soon end.

Many of us remember his visits to the City of Fort Wayne where he made many lasting friendships.

BE IT RESOLVED that the Common Council of the City of Fort Wayne, Indiana hereby publicly expresses its sympathy to his loved ones on his passing; and

BE IT FURTHER RESOLVED that this Memorial Resolution be spread upon the record in our Council Journal as public recognition of a great and courageous leader who has now departed from this earth.

Vivian G. Schmidt
Councilman

Donald J. Schmidt
Samuel J. Talarico
John Nuckols
Paul "Mike" Burns

William T. Hinga
Winfield C. Moses, Jr.
James S. Stier
Eugene Kraus, Jr.

Bill NO. A-72-12-56

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance appropriating funds for payment of salaries and requiring reimbursement from City Utilities for money so appropriated, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be withdrawn.

William T. Hinga
John Nuckols
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

BILL NO. S-73-01-04

SPECIAL ORDINANCE NO. S-05-73

AN ORDINANCE approving a certain bid document with TENNANT COMPANY, for one (1) Hydraulic Power Sweeper with attachment.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 496 dated December 26, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and TENNANT COMPANY, for

1 Hydraulic Power Sweeper Model 280 (Less overhead guard)	\$6,120.00
1 Headlights, taillight, side brush spotlight Part #53242-1	77.00
1 8 row nylon brush Part #53068	68.00

F.O.B. Fort Wayne, Indiana
Total

161.00
\$6,426.00

as more specifically set forth in said bid document Reference No. 496 and Purchase Order No. P.O. 3-11937, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 23, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-05-73 on the 23rd day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973 at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. G-72-05-28

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance providing for the levy of a use and service charge upon passengers enplaning at Baer Field, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be withdrawn.

William T. Hinga
John Nuckols
James S. Stier
Samuel J. Talarico
Paul "Mike" Burns

BILL NO. R-73-01-12

RESOLUTION NO. R-02-73

A RESOLUTION authorizing payment for repairs to fence at 1730 South Lafayette Street.

WHEREAS, a fence at 1730 South Lafayette Street was damaged in an accident on October 17, 1972 by Leonard L. Snyder when he lost control of his car; and

WHEREAS, settlement in the amount of \$124.00 was made by the Ohio Casualty Company, which money was receipted into the General Fund; and

WHEREAS, Arrow Fence Company, Inc. has submitted an estimate in the amount of \$124.00, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$124.00 to Arrow Fence Company, Inc. for repairs to said fence at 1730 South Lafayette Street.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 23, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-02-73 on the 23rd of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973 at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-1-13

RESOLUTION NO. R-03-73

A RESOLUTION authorizing payment for repairs to City-owned vehicle.

WHEREAS, William Sobraski, in an accident, damaged City unit #2, Board of Public Health; and

WHEREAS, settlement in the amount of \$46.50 was paid by the State Farm Insurance to the Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Allen County Motors has submitted an estimate in the amount of \$46.50, which sum is a reasonable value of said repairs;

NOW ~~THEREFORE~~ BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$46.50 to Allen County Motors for repairs to City unit #2.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 23, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-03-73 on the 23rd day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973 at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. G-73-01-15

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. G-73-01-15, at this meeting of January 23, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Vivian Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and General ORDINANCE was accordingly placed on its passage.

DATE: 1-23-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-73-01-15

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 1-23-73

Charles W. Westerman
City Clerk

BILL NO. G-73-01-15

GENERAL ORDINANCE NO. G-02-73

AN ORDINANCE amending Chapter 37 of the Municipal Code of the City of Fort Wayne and providing for certain changes in the Plumbing, Building, Heating, Ventilating and Air Conditioning and Housing Codes.

SECTION 1. Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana is hereby amended to read as follows:

Section 1. The Plumbing Rules and Regulations adopted by the Administrative Building Council of the State of Indiana, 1968 Edition as amended, are hereby adopted and approved and incorporated by reference as a part of this Ordinance as a minimum standard.

Section 2. The Building Rules and Regulations adopted by the Administrative Building Council of the State of Indiana, 1969 Edition as amended, are hereby adopted and approved and incorporated by reference as a part of this Ordinance as a minimum standard.

Section 3. The Heating, Ventilating and Air Conditioning Rules and Regulations adopted by the Administrative Building Council of the State of Indiana, 1969 Edition, as amended, are hereby adopted and approved and incorporated by reference as a part of this Ordinance as a minimum standard.

Section 4. The Basic Housing Code as published by the Building Officials and Code Administrators International, 1970 Edition as amended, are hereby adopted and approved and incorporated by reference as a part of this Ordinance as a minimum standard.

Section 5. Five copies of each of the above designated standards shall be filed in the office of the City building department for inspection by any interested person during business hours of that office.

SECTION 2. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the common council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico
NAYS: None

Date: 1-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-02-73 on the 23rd day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-01-05

SPECIAL ORDINANCE NO. S-06-73

AN ORDINANCE approving an Agreement with BERCOT, INC. for installation of a water line to serve properties in Hickory Grove Addition in connection with Water Contract.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved December 7, 1972, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BERCOT, INC. for installation of a water line, to be constructed and installed as follows:

A six inch (6") water main along the south side of Homedale Drive, from the west property line of Hessen Cassel Road to the west property line of lot 12, also on the west side of Waycross Drive, from the north property line of lot #14, to the south property line of lot 11, all in Hickory Grove Addition, Section "A" and said water mains with all its appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City,

for a total cost of \$20,896.10 on which City will be paying 16% all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 1-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-06-73 on the 23rd day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973 at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-01-20

Councilman Stier, moved to suspend the rules on passage of BILL NO. S-73-01-20, at this meeting of January 23rd, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE was accordingly placed on its passage.

DATE: 1-23-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-07-73

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 1-23-73

Charles W. Westerman
City Clerk

BILL NO. S-73-01-20

SPECIAL ORDINANCE NO. S-07-73

AN ORDINANCE approving Agreement with HIPSKIND ASPHALT CORP. for construction of a sanitary sewer in the area of Trixholme Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved January 15, 1973 between HIPSKIND ASPHALT CORP. as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer to serve the Trixholme Addition, as follows:

Branch Sewer:

Beginning at an existing manhole located 7+ feet South of the North property line of Franke Park and 66+ feet west of the centerline of Spy Run Creek; thence East along the North property line of Franke Park a distance of 1,578+ lineal feet, to a proposed manhole located near the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence South-easterly a distance of 620+ lineal feet to a proposed manhole located in Morrow Way Drive 15+ lineal feet South of the most Southerly point of space now or formerly owned by Thomas L. and Susan Murphy, as recorded in Deed Book 719, Page 144, thence East a distance of 452 feet, terminating at a proposed manhole located 17+ lineal feet North of and 14+ lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "A":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 4 + 18 on aforescribed Branch Sewer, said location more particularly described as being located 126.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155+ lineal feet, terminating at a proposed bulkhead.

LATERAL "B":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 7+38 on aforescribed Branch Sewer, said location more particularly described as being located 446.75 feet East of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North property line of Franke Park, and projecting a distance of 155+ lineal feet, terminating at a proposed bulkhead.

LATERAL "C":

Beginning at a proposed manhole located on the North property line of Franke Park at Station 10+58 on aforescribed Branch Sewer, said location more particularly described as being located 776.75 feet east of the Southwest corner of space now or formerly owned by Arlington Investment Corporation, as described in Deed Book 694, Page 432-33; thence turning North an angle of 90 degrees from said North Property line of Franke Park, and projecting a distance of 155+ lineal feet, terminating at a proposed bulkhead.

Beginning at a proposed manhole located 15+ feet South of the Southwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence North along the the West property line of said Lot #74 to a proposed manhole located within the right-of-way of Louisedale Drive 15+ lineal feet North of the Northwest corner of said Lot #74; thence East 15+ lineal feet North of and parallel to the South right-of-way of Louisedale Drive, terminating at a proposed manhole located 4 feet East of and 15+ lineal feet North of the Northwest corner of Lot #15 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "D-1":

Beginning at a proposed manhole within Louisedale Drive right-of-way located 15+ lineal feet North of the Northwest corner of Lot #74 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3; thence West 228+ lineal feet, terminating at an existing manhole located 25+ lineal feet West of and 15+ lineal feet North of the Northwest corner of Lot #76 of Trixholme Addition, Section "D", as recorded in Plat Book 22, Page 3.

LATERAL "D-2":

Beginning at a proposed manhole located within Louisedale Drive right-of-way 28+ lineal feet West of and 16+ lineal feet North of the Northeast corner of Lot #73 of Trixholme Addition, Section "D", as recorded in Plat Book 22, page 3; thence due North 15+ lineal feet West of the East right-of-way line of Hampton Avenue 686+ feet, terminating 5+ lineal feet North of the Southwest corner of Lot #62 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "D-3":

Beginning at a proposed manhole located 10+ lineal feet East of and 10+ lineal feet South of the centerline intersection of Louisedale Drive and Kentland Avenue; thence North 10 feet East of and parallel to the centerline of said Kentland Avenue 700+ lineal feet, terminating at a proposed manhole located 35+ lineal feet East of and 12+ lineal feet North of the Southeast corner of Lot #44 of Trixholme Addition, Section "C", as recorded in Plat Book 21, Page 29.

LATERAL "E":

Beginning at a proposed manhole located within the right-of-way of Morrow Way Drive where it joins Sylvia Plaza; thence Southwesterly generally following the East right-of-way line of Sylvia Plaza 680+ lineal feet to a proposed manhole located within the right-of-way of Loch Lomond Drive 16+ lineal feet South of and 7+ lineal feet West of the Southwest corner of Lot #40 of Trixholme Addition, Section "B", as recorded in Plat Book 18, Page 170; thence Easterly 16+ lineal feet South of and parallel to the North right-of-way line of Loch Lomond Drive 540 feet, terminating at a proposed manhole located 16+ lineal feet South of and 10+ lineal feet East of the Southwest corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17+ lineal feet North of and 14+ lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence Southerly 14+ lineal feet East of and parallel to the West right-of-way line of Sherman Boulevard 516+ lineal feet, terminating at a proposed manhole located 15+ lineal feet East of and 20+ lineal feet South of the Northeast corner of Lot #1 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

LATERAL "F-1":

Beginning at a proposed manhole within the right-of-way of Sherman Boulevard located 17+ lineal feet North of and 14+ lineal feet East of the Northeast corner of Lot #8 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121; thence North generally along and parallel to the West right-of-way line of Sherman Boulevard 380+ lineal feet, terminating at a proposed manhole located 11+ lineal feet East of and 10+ lineal feet North of the Southeast corner of Lot #14 of Trixholme Addition, Section "A", as recorded in Plat Book 17, Page 121.

All sewers shall be 8, 10, 12 and 15 inches in diameter, and all located within the Northeast quarter of Section 27, Township 31 North, Range 12 East and lying fully within the corporate limits of the City of Fort Wayne.

In addition to the normal assessment due for the abovementioned improvement resolution, there will be a tap-in fee in the amount of \$300 per acre area connection charge for interceptor resolution #131 as set forth and adopted in Board of Works minutes, April 26, 1961.

the total cost of said sewer to be paid by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: January 23, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-07-73 on the 23rd day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-01-07

RESOLUTION NO. R-04-73

RESOLUTION concerning administration and enforcement of types of codes and standards for design, construction, alteration, removal or demolition of buildings and structures by a single agency.

WHEREAS, the General Assembly of Indiana has enacted an Act identified IC 17-2-72-1 to 17-2-72-9 inclusive (Burns Ind. Rev. Stat. 1973 Cum. Pkt. Suppl. 26-2901-26-2911), which act relates to enactment of a Building Code covering buildings and structures in the unincorporated areas of Counties; and

WHEREAS, the stated purpose of said law is to provide for the safety, health and public welfare through properly carrying out the provisions of ordinances, state laws and regulations by inspectors, agents or deputies; and

WHEREAS, the City of Fort Wayne has a well established and complemented department of buildings and Commissioner and inspectors; and

WHEREAS, the County of Allen has no building commissioner and no inspectors and it would be an unnecessary and in many cases duplicate and wasteful practice to have two departments of City and County government performing the same functions which in most instances are in accord with the rules and regulations of the administrative building counsel of the State of Indiana;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That a single agency and Department of Buildings and the Building Commissioner of the City of Fort Wayne, Indiana be the single agency within Allen County, Indiana to administer and enforce building codes and standards throughout Allen County, Indiana and, that the County of Allen negotiate

to purchase at cost from the City of Fort Wayne the services of the Department of Buildings necessary to provide proper inspections to insure the safety, health, and public welfare of the citizens of the County of Allen who reside outside the limits of the City of Fort Wayne.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt seconded by Hinga and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: January 23, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-04-73 on the 23rd day of January, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of January, 1973 at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of January, 1973 at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-15

Councilman Hinga, moved to suspend the rules on passage of BILL NO. S-73-02-15, at this meeting of February 13, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Stier, and duly passed by unanimous vote of all legally elected members of the Said Common Council.

The above BILL and Special ORDINANCE was accordingly placed on its passage.

DATE: 2-13-73
Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt Stier, Talarico
Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-11-73

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 2-13-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-15

SPECIAL ORDINANCE NO. S-11-73

AN ORDINANCE authorizing the Board of Public Works to bid at a foreclosure sale of properties belonging to INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC.

WHEREAS, it is essential to the present and future health, and to the future development, of the City of Fort Wayne, that the City and its environs be served with an adequate sewage disposal system operating under sound and financially responsible management; and

WHEREAS, as long ago as the mid-1960's the City of Fort Wayne had received many requests to extend its sewer services into an area in Adams and Marion Townships lying southeast of its municipal limits and south of the Maumee River, which area even then suffered from a sewage pollution problem and which area is more specifically described in Exhibit attached hereto; and

WHEREAS, the City of Fort Wayne had proposed to construct an interceptor sewer in the northern portion of said area, which construction was contingent upon certain federal funds becoming available, which contingency did not occur; and

WHEREAS, when it was learned that federal funds would not be available for the construction of said interceptor sewer, the City of Fort Wayne entered into an agreement with INDIANA SUBURBAN SEWERS, INC., which agreement was dated March 17, 1966 and which agreement was approved in Special Ordinance 280-66 which ordinance was adopted by the Common Council of the City of Fort Wayne on April 29, 1966; and

WHEREAS, said agreement provided, in general, that INDIANA SUBURBAN SEWERS, INC. would construct a sewer system within the aforesaid area; that said system would conform with the standards and specifications of the City of Fort Wayne; that the City of Fort Wayne would treat sewage collected by INDIANA SUBURBAN SEWERS, INC. within the aforesaid area; that INDIANA SUBURBAN SEWERS, INC. would compensate the City of Fort Wayne for such treatment; and that the City of Fort Wayne would have an option to purchase the sewer system of INDIANA SUBURBAN SEWERS, INC. within the aforesaid territory; and

WHEREAS, said agreement was approved by the Public Service Commission of Indiana, subject to certain exceptions not here material, by order dated September 1, 1967 in Cause No. 31154; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. entered into an agreement with SUBURBAN SERVICES, INC. under which the latter was to construct the sewage disposal system contemplated by the aforesaid agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC.; and

WHEREAS, the construction work on said sewer system had progressed to such a point that INDIANA SUBURBAN SEWERS, INC. was rendering sewage disposal service within the aforesaid area by the year 1969; and,

WHEREAS, the City of Fort Wayne began, in 1969, to treat sewage collected by INDIANA SUBURBAN SEWERS, INC.; and

WHEREAS, the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. have been engaged in controversy as to the compensation INDIANA SUBURBAN SEWERS, INC. is to pay the City of Fort Wayne for treatment of sewage; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. has paid no compensation to the City of Fort Wayne for treating its sewage; and

WHEREAS, INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. Have become delinquent in their accounts with certain secured creditors; and

WHEREAS, for many months the City of Fort Wayne has been concerned over the slowness with which construction of the sewer system was progressing and the City of Fort Wayne has been receiving, and continues to receive, requests for sewer service from persons situated within the aforesaid area described in Exhibit A; and

WHEREAS, the financial difficulties of INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. had become so serious by the winter of 1970-71 that the City of Fort Wayne, and INDIANA SUBURBAN SEWERS, INC. began negotiations looking toward the amendment of the aforesaid agreement so as to permit the City to purchase a portion of the aforesaid sewer system, thus providing funds with which INDIANA SUBURBAN SEWERS, INC. could meet its obligations in part, and thus providing Fort Wayne with operating control over a portion of said system and the right to receive and obtain all revenues accruing from the operation of such portion; and

WHEREAS, the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. entered into an agreement signed by the Board of Public Works of the City of Fort Wayne under date of November 23, 1971, accepted by INDIANA SUBURBAN SEWERS, INC. under date of December 6, 1971, and approved in Special Ordinance No. S-773-71 adopted by the Common Council of the City of Fort Wayne on December 28, 1971; and

WHEREAS, said agreement, among other things, would have effected an amendment of the earlier agreement between the City of Fort Wayne and INDIANA SUBURBAN SEWERS, INC. and would have permitted the City of Fort Wayne to purchase a portion of the aforesaid sewer system for the sum of One Million Thirty Seven Thousand Dollars (\$1,037,000), against which delinquent service charges were to be credited; and,

WHEREAS, said purchase price was based upon an appraisal by H. B. Steeg and Associates in the fall of 1970, which appraisal has been reviewed and approved by the City Engineer and which sum was nearly Six Hundred Thousand Dollars (\$600,000.00) less than the sum requested by INDIANA SUBURBAN SEWERS at the beginning of such negotiations; and

WHEREAS, the parties became embroiled in controversy before the Public Service Commission of Indiana with regard to the description to the portion of the aforesaid sewer system which would have been sold pursuant to said agreement executed in 1971; and

WHEREAS, by order dated December 22, 1972, in Cause No. 32 876 said Public Service Commission of Indiana refused to approve said agreement executed in 1971; and

WHEREAS, on December 20, 1972 the Allen Superior Court had entered judgment against INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC., in Cause No. S-72-148, which action was captioned American Fletcher National Bank and Trust Company, plaintiff vs. Indiana Suburban Sewers, Inc. and Suburban Services, Inc., defendants and John Dehner, Inc., defendant and cross-complainant; and

WHEREAS, said judgment ordered that American Fletcher National Bank and Trust Company recover from INDIANA SUBURBAN SEWERS, INC. and SUBURBAN SERVICES, INC. jointly and severally the sum of Eight Hundred Ninety-Five Thousand Six Hundred Forty-Four Dollars and Thirty-One Cents (\$895,644.31), together with interest and costs, and said judgment further ordered that JOHN DEHNER, INC., jointly and severally, the sum of One Hundred Fifty-Four Thousand Eight Hundred Eighty Dollars and Thirty-Five Cents (\$154,880.35); and

WHEREAS, said judgment further ordered the sale on foreclosure of all real estate, including without limitation, easements, rights of way, and other interests which have been acquired for the purpose of installing a sewage disposal system, and all property of any and every kind whatsoever, both real and personal, including without limitation, all pipes, sewers, interceptors, mains, laterals, manholes, meters, valves and all connections and appurtenances thereto, which have been constructed, and all chattels, fixtures, and intangibles which have been acquired, within the rural area southeast of the City of Fort Wayne, Indiana, which has been franchised to Indiana Suburban Sewers, Inc., as a public utility, in Certificate of Territorial Authority No. 61 issued by the Public Service Commission of Indiana on September 1, 1967, in PSCI Cause No. 31154, and also including said Certificate of Territorial Authority and all franchise rights thereunder, which is set forth in the mortgage recorded January 13, 1969, in the office of the Recorder of Allen County, Indiana, as Instrument No. 723 in Book 932 at pages 361 and following, and all right, title, interest and claims of the defendants Indiana Suburban Sewers, Inc., and Suburban Services, Inc., and of all persons claiming by, from, under or through them to said mortgaged property; and

WHEREAS, the purchase of said property on foreclosure by the City of Fort Wayne would enable the City to begin operating so much of the sewer system as is completed, and to complete and operate the

remainder of said system, thereby permitting the City to receive the revenues derived from said operation and freeing the City from dependence upon INDIANA SUBURBAN SEWERS, INC. as to the operation and speed of construction of the sewer system, from additional controversy with INDIANA SUBURBAN SEWERS, INC.; and

WHEREAS, there are adequate funds in the depreciation account of the Sewer Utility of the City of Fort Wayne to pay the aforesaid price of One Million Thirty-Seven Thousand Dollars (\$1,037,000.00) for said property; and

WHEREAS, the Common Council of the City of Fort Wayne has previously adopted an ordinance authorizing the purchase of the above described property and wishes to rectify the purpose of said ordinance, to acknowledge the fact that the delinquent sewer charges owed the City of Fort Wayne by INDIANA SUBURBAN SEWERS will represent only a small part of the purchase price and that additional funds will be required in a substantial amount from the depreciation account of the Sewer Utility of the City of Fort Wayne; and

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Board of Public Works of the City of [REDACTED] Fort Wayne is hereby authorized to purchase all the above described property to be sold at the foreclosure sale to be held by the Sheriff of Allen County, Indiana pursuant to the aforesaid judgment for a sum not to exceed One Million Thirty Seven Thousand Dollars (\$1,037,000.00), which money shall be taken from the depreciation fund of the Sewer Utility of the City of Fort Wayne;

SECTION 2. The rates to be charged the several classes of users or property served shall be comparable to those charged other users and property in like circumstances.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

EXHIBIT A

Parts of Adams Township and Marion Township located in Allen County, Indiana, consisting of approximately 7,700 acres being described in detail as follows:

Beginning at a point located on the South bank of the Maumee River and on the West line of Section 9, T 30 N, R 13 E; thence Easterly following the meanderings of the South bank of the Maumee River to the Parrot Road; thence continuing Easterly along the Parrot Road to the common property line between properties now or formerly owned by Terminal Service and Betty A. and B. G. Hiscox; thence South on said common property line to the N.Y.C. Railroad; thence Easterly along the N.Y.C. Railroad to the East line of Section 10, T 30 N, R 13 E; thence South on the said East line of Section 10 to the Norfolk & Western Railroad; thence Westerly along said railroad to the Northerly extension of Meadowbrook Drive; thence South on said extension to U.S. 24; thence West on U.S. 24 to the Northerly extension of the West line of Meadowbrook Addition; thence South on said West line to the South line of Section 10, T 30 N, R 13 E; thence East on said South line of Section 10 to the Northeast corner of Section 15 in T 30 N, R 13 E; thence South on the said East line of Section 15 to Seiler Road; thence continuing South on the East line of Section 22, T 30 N, R 13 E, to the Pennsylvania Railroad; thence Northwesterly along the Pennsylvania Railroad to the East and West centerline of said Section 22; thence Westerly on said East and West centerline of Section 22 to the center of said Section 22; thence South on the North and South centerline of said Section 22 to the North line of the SE 1/4 of the SW 1/4 of said Section 22; thence West on said North line to the West line of the East half of the SW 1/4 of said Section 22; thence South on said West line to Paulding Road; thence continuing South on the East line of the West 1/2 of the NW 1/4 of Section 27, T 30 N, R 13 E to the East and West centerline of said Section 27; thence West on said East and West centerline of Section 27 to the Northwest corner of a 50.37 acre property now or formerly owned by Clarence F. and E. E. Koenig; thence South on the West line of said property to Tillman Road; thence East along Tillman Road to the common property line now or formerly owned by Clement H. and F. Smith and Paul H. and R. Seddelmeyer; thence South on said common property line and the Southerly extension thereof to Maples Road; thence East on Maples Road to the North and South centerline of section 3, T 29 N, R 13 E; thence South on said North and South centerline of Section 3 to the center of said Section 3; thence West on the East and West centerline of said Section 3 to the Marion Center Road; thence South on said Marion Center Road to the common property line between the properties now or formerly owned by Herbert and Hilda Lepper and Arthur H. and Ella Doctor; thence West on said common property line to the North and South centerline of Section 4, T 29 N, R 13 E; thence North on said centerline of Section 4 to the center of said Section; thence West on the East and West centerline of said Section 4 to Trentman Road; thence continuing West on the East and West centerline of sections 5 and 6, T 29 N, R 13 E, to U.S. 27; thence Northwesterly along U.S. 27 to the North and South centerline of Section 31, T 30 N, R 13 E; thence North on said North and South centerline of Section 31 to the South property line of an 18.22 acre property now or formerly owned by Charles K. and E. E. Wians; thence following the Southerly line of the afore described Wians property to the Old Decatur Road; thence Northwesterly along the Old Decatur Road to Anthony Boulevard; thence North on Anthony Boulevard to the North line of Curdes South Acre Addition; thence East on said North line to the West line of Eastland Gardens Addition, Section B; thence North on said West line to the North line of said Addition; thence East on the North line of said Addition to the West line of Hickory Grove Addition; thence North on the West line of Hickory Grove Addition, Sections A, B, C, and D to the North line of Hickory Grove Addition, Section D; thence East on the North line of said Addition to Hessen Cassel Road; thence South on Hessen Cassel Road to the East and West centerline of Section 29, T 30 N, R 13 E; thence East on said line to the West line of a 30.48 acre property now or formerly owned by Fred B. and A. M. Buescher; thence North on the West line of said property to the North line thereof; thence East on the North line of said property to the Trier Ditch; thence South along the Trier Ditch to the East and West centerline of said Section 29; thence East on said centerline to the center of said Section 29; thence South on the North and South centerline of said Section 29 to Tillman Road; thence West on Tillman Road to Hessen Cassel Road; thence South on Hessen Cassel Road to the South line of the North 1/2 of the NW 1/4 of Section 32, T 30 N, R 13 E; thence East on said South line of the North 1/2 to the North and South centerline of said Section 32, thence North on said North and South centerline of Section 32 to Tillman Road; thence East on Tillman Road to the West line of the NE 1/4 of the NE 1/4 of Section 32, to 30 N, R 13 E; thence South on the West line of aforesaid NE 1/4 of the NE 1/4 to the South line thereof; thence East on the South line of said NE 1/4 of the NE 1/4 to Trentman Road; thence North on Trentman Road and the Northerly extension thereof, to the South line of a 9.3 acre tract now or formerly owned by Alfred N. Bade; thence East on the South line of said tract to Wayne Trace; thence Northwesterly along Wayne Trace to the North line of said Bade tract; thence West on the North line of said Bade tract to the East line of Section 29, T 30 N, R 13 E; thence North on the East line of said Section 29 to the East and West centerline of Sections 28 and 29, T 30 N, R 13 E; thence East along said East and West centerline to the East line of properties now or formerly owned by the New Haven Public Schools; thence North on the

East line of said tract; thence West on the North line of said tract to Wayne Trace; thence Northwesterly on Wayne Trace to the North line of Southwick Village Addition; thence West on said North line to the Trier Ditch; thence North along the Trier Ditch to Paulding Road; thence West on Paulding Road to the North and South centerline of Section 20, T 30 N, R 13 E; thence North on said North and South centerline of Sections 20 and 17 to the Moeller Road; thence East on Moeller Road to the Pennsylvania Railroad; thence North on the West line of a 22.61 acre property now or formerly owned by Harbock Realty Company, Inc.; thence East on said North line to Meyer Road; thence North on Meyer Road to the South line of a 25.2 acre tract now or formerly owned by International Harvester Company; thence East, North and West on the perimeter of said tract to Meyer Road; thence North on Meyer Road to the Wabash Railroad; thence East along said Railroad to East line of a tract now or formerly owned by Gertrude A. Schuckman, et al; thence North on said East line to U.S. #24 and #30; thence West on U.S. #24 and #30 to the West line of the Gladieux Service Station property; thence North on West line of said property to N.Y.C. Railroad; thence East along said Railroad to West line of Section 9, T 30 N, R 13 E; thence North on said West line of Section 9 to a point of beginning.

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: February 13, 1973

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-11-73 on the 13th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of February, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-72-07-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. GG-1, GG-2, and FF-1 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul "Mike" Burns
Donald J. Schmidt

January 18, 1973

Chairman, City Plan Commission
City Plan Office
8th Floor, City-County Building
Fort Wayne, Indiana 46802

RE: K-Mart Zoning Ordinance
Intersection U.S. 24 and
State Road 14

Gentlemen:

As attorney for the petitioners in the above-captioned re-zoning, please be advised that I would like to withdraw from the consideration of the City Plan Commission the petition filed heretofore, bearing Bill #Z-7207-10.

It is respectfully requested that this withdrawal of the petition for your consideration be without prejudice to the petitioners.

Very truly yours,

TOURKOW, DANEHY & CRESS

Marvin S. Crell

MSC/ary

cc: Ralph R. Blume

BILL NO. R-73-02-11

RESOLUTION NO. R-06-73

A RESOLUTION accepting liability for creditable service pursuant to House Bill 1325.

WHEREAS, Ralph R. Holmes was employed by the County of Allen, From January 1, 1939 to February 2, 1942, and as such was entitled to all the benefits accruing under the Public Employees Retirement Fund of the State of Indiana; and

WHEREAS, Ralph R. Holmes became employed by the City of Fort Wayne and as such is entitled to all the benefits accruing under the Public Employees Retirement Fund of the State of Indiana; and

WHEREAS, House Bill 1325 duly passed by the 1972 General Assembly provides that service between participating municipalities may now be creditable without return to employment with the former employer; and

WHEREAS, said House Bill 1325 required a properly certified statement from the governing body of either employer stating that they are willing to accept the employer liability for this service; and

WHEREAS, it is the desire of the City of Fort Wayne to accept the employer's liability for the service of Ralph R. Holmes as an employee of the County of Allen.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE, INDIANA:

1. That the City of Fort Wayne does hereby accept liability for all creditable service performed by Ralph R. Holmes while an employee of the County of Allen, pursuant to House Bill 1325.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: February 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-06-73 on the 13th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 14th day of February, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of February, 1973, at the hour of 5:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-01-17 (Amended)

GENERAL ORDINANCE NO. G-03-73

AN ORDINANCE dealing with Motor Vehicle Filling and Service Stations and Car Washes in the Central Business District and providing for penalties for the violation thereof and for the abatement of the same.

WHEREAS, the Central Business District of the City of Fort Wayne, Indiana consists of an area bounded on the north by Superior Street, on the east by Clay Street, on the south by the Penn Central Railroad embankment and on the west by Fairfield Avenue; and

WHEREAS, there already exists blight, and traffic congestion in said Central business district; and

WHEREAS, general plans for development of the Central Business District call for increased use and maintenance of the area as a financial, governmental, cultural, educational, entertainment, and retail center; and

WHEREAS, it is the intended and best plan for the Central Business District that automobiles are either parked, or moving smoothly in or out of the area, with minimum disruption of traffic flow; and

WHEREAS, there is a need for continuous traffic flow, the presence of Motor Vehicle Filling and Service Stations and Car Washes create traffic congestion and hazard, by permitting exit from and entrance to moving traffic; and

WHEREAS, there already exists traffic congestion in said Central Business District created by vehicles exiting from and entering into parking areas; and

WHEREAS, it is considered desirable to minimize the number of vehicles coming into the Central Business District; and

WHEREAS, it is the purpose of this Ordinance to regulate the location of motor vehicle filling and service stations and car washes, so as to cause minimum disruption of traffic and prevent concentration of motor vehicle filling and service stations or car washes as would tend to create additional congestion of traffic in the Central Business District.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA as follows:

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

SECTION 1. Definitions:

- (a) Central business district shall mean an area in the City of Fort Wayne, Indiana, bounded on the North by Superior Street, on the east by Clay Street, on the South by the Penn Central railroad embankment and on the west by Fairfield Avenue;
- (b) Vehicle filling and service station shall mean an establishment having one or more pumps, wherein a principal activity is the sale of motor fuel as directly dispensed to a consumer's vehicle;
- (c) Car wash shall mean an establishment wherein automobiles and other vehicular equipment are washed and cleaned either manually or automatically;

SECTION 2. Any motor vehicle filling and service station, or car wash which exists and is operation in the Central business district on February 26, 1973, may continue to so operate in said Central business district, provided, however:

- (a) If said motor vehicle filling and service station, or car wash is not open for business for a period of 180 consecutive days, or which is not operating for a lesser period, or which has intention to abandon operation as evidenced by removal of pumps or other facilities or if such other action is taken which would show intention to abandon operation, shall be considered abandoned and shall not be reopened for the prosecution of the business of a motor vehicle filling and service station or car wash in the Central business district.

SECTION 3. Except as permitted under Section 2 hereof it shall be unlawful for any person, firm or corporation for himself, or itself or as agent, renter or lessee to locate, build, erect, construct, maintain, install or operate any motor vehicle filling and service station or car wash, within the Central business district of the City of Fort Wayne Indiana.

SECTION 4. Any motor vehicle filling and service station, or car wash, built, located, erected, constructed, maintained or installed or operated contrary to the provisions of this Ordinance is hereby declared a nuisance.

SECTION 5. Any person, firm or corporation or any agent, renter or lessee of any person, firm or corporation who shall violate any of the provisions of this Ordinance shall be fined in the sum of \$100.00 for each offense, and each day that such motor vehicle filling and service station or car wash is maintained or operated contrary to the provisions of this Ordinance shall constitute a separate offense.

SECTION 6. If any section, clause, sentence paragraph, part or provision of this Ordinance shall be held invalid, it shall be conclusively presumed this Ordinance would have been effective without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: February 13, 1973

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-03-73 on the 13th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 16th day of February, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-01-19

SPECIAL ORDINANCE NO. S-09-73

AN ORDINANCE approving Agreement with NOBIS-WESTROPP CONST. CO. for installation of a sanitary sewer in the area of Lower Huntington and Winchester Roads.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved December 13, 1972, between NOBIS-WESTROPP CONST. CO., as developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer to serve the area of Lower Huntington and Winchester Roads, as follows:

Commencing at an existing structure on the St. Mary's Interceptor, Resolution No. 214, 390+ feet Northwest of the St. Mary's River and 650+ feet East of Winchester Road; thence, Southeasterly 12+ feet to a proposed manhole; thence, Westerly 301+ feet; thence, Southwesterly 450+ feet to a proposed manhole, 7+ feet West of the West right-of-way of Winchester Road and 560+ feet North of the Lower Huntington Road; thence, Northwesterly a distance of 101+ feet; thence, Southwesterly 540+ feet to a proposed Manhole No. 6, 32+ feet South of the centerline of Lower Huntington Road and 338+ feet West of the Northwest corner of Lot No. 7 in Boggs Orchard Terrace Addition; thence, Westerly in and along a proposed easement parallel to Lower Huntington Road a distance of 349+ feet, terminating at a proposed manhole 32+ feet South of the centerline of said road.

Lateral A:

Commencing at the above mentioned proposed Manhole No. 6; thence, Southeasterly in and along a proposed easement 339+ feet to a point on Lot No. 7 of the above mentioned addition 7+ feet East of the West property line; thence, Southwesterly in and along a proposed easement and parallel with the West property line of Lot No. 7 a distance of 196+ feet to a point on South line of Lot No. 8 8+ feet East of the West property line; thence, Southeasterly 460+ feet along the South property line of Lot No. 8, terminating in Kinnerk Road 5+ feet West of the West property line of Lot No. 8, terminating in Kinnerk Road 5+ feet West of the West property line of Lot No. 33 in Allison's Suburban Addition.

Lateral B:

Commencing at a proposed manhole 7+ feet West of the West [REDACTED] right-of-way of Winchester

right-of-way of Winchester Road and 560⁺ feet North of the intersection of Lower Huntington Road; thence, Southeasterly in and along a proposed easement a distance of 355⁺ feet, terminating at a proposed manhole 7⁺ feet West of the West right-of-way of Winchester Road.

Said sewers to be 8 and 12 inches in diameter.

The total cost of said sewer to be paid by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: February 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-09-73 on the 13th day of February, 1973.

ATTEST:

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of February, 1973, at the hour of 5:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-01-21

SPECIAL ORDINANCE NO. S-10-73

AN ORDINANCE approving Change Order No. 1 of SHAMBAUGH & SONS, INC., raising contract price.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 of SHAMBAUGH & SONS, INC., approved January 15, 1973 by the City of Fort Wayne, by and through its Mayor, Board of Public Works, for Contract approved under Ordinance No. S-75-72, due to a revision of foundation requirements in the amount of \$812.00, a copy of which Change Order is attached hereto and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: February 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-10-73 on the 13th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of February, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of February, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-01-11

SPECIAL ORDINANCE NO. S-08-73

AN ORDINANCE approving a certain bid document with SHAMBAUGH AND SON for construction of a pumping station at McMillen Park Golf Course.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 495 dated December 12, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and SHAMBAUGH AND SON, for

Construction of a Pumping System for McMillen Park Golf Course	\$8,643.00
---	------------

as more specifically set forth in said bid document Reference No. 495 and Purchase Order No. P. O. 3-11938, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read for revote due to the lack of action by the Mayor when presented to him for his approval on the 14th day of February, 1973. Therefore S-73-01-11 is placed on motion by Nuckols and seconded by Stier, and duly adopted, by a 2/3 vote of the Councilmen duly elected and placed on its repassage by the following vote:

AYES: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-08-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. S-73-02-01

SPECIAL ORDINANCE NO. S-12-73

AN ORDINANCE approving Board of Public Works Resolution to purchase real estate from the Ohio Plate Glass Company.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the Board of Public Works, adopted December 21, 1972, to purchase real estate from the Ohio Plate Glass Company, said property being Lots 172, 173, 174, 175 and 205, Lewis Addition, commonly known as 415-419 East Wallace and 440 and 444 East Wallace, for the price of \$75,000.00, all as more particularly set forth in proposal to purchase which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-12-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-23

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-23, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and S-13-73 SPECIAL ORDINANCE was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hing, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-13-73

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-23

SPECIAL ORDINANCE NO. S-13-73

AN ORDINANCE approving contract with GENERAL ELECTRIC COMPANY for equipment to be used on the Washington-Maumee Lighting Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL ELECTRIC COMPANY, FOR:

100 G.E. LU 250 Watt High
Pressure Sodium Lamps \$2,310.00

all for a total cost of \$2,310.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9568, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, conformed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-13-73 on the 27th day of February, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-25

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-25, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE NO. S-14-73 was accordingly placed on its passgae.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
 Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 NAYS: None
 ABSENT: Two
 Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-14-73

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

DATE: 2-27-73

Charles W. Westerman
 City Clerk

BILL NO. S-73-02-25

SPECIAL ORDINANCE NO. S-14-73

AN ORDINANCE approving contract with GENERAL ELECTRIC COMPANY for equipment to be used on the Washington-Maumee Lighting Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL ELECTRIC COMPANY, for:

100 G.E. 250 Watt Lucalox Luminaires
 Cat. #C724G573 with no P E receptacle
 with 240 volt regulator ballast. \$9,800.00

for a total cost of \$9,800.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9570, which is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
 Councilman

Read the third time in full and on motion by Nuckols seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
 Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 ANYS: None
 ABSENT: Two
 Hinga, Kraus.

Date: February 27, 1973

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-14-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-26

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-26, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE NO. S-15-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Passed and adopted by the common council of the City of Fort Wayne, Indiana, as SPECIAL ORDINANCE NO. S-15-73

ATTEST: (SEAL)
Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Date: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-26

SPECIAL ORDINANCE NO. S-15-73

AN ORDINANCE approving Fort Wayne Redevelopment Commission resolution to purchase real estate from the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the Fort Wayne Redevelopment Commission to purchase real estate from the City of Fort Wayne, said property being Parcel 6-14, being

Lot 31 in County Addition to the Town, now City of Fort Wayne, Indiana according to the recorded plat thereof

commonly known as 319 Main Street; and Parcel 7-5, being

Part of Lot 40 TABER'S ADDITION to the City of Fort Wayne, Indiana as recopied in Plat "0", page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "old Fort Park" and by metes and bounds described as follows to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as re-copied and recorded in Plat Book "0", page 3, at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minutes West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence South 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TAVER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22 feet normally distant North of the North line of Main Street; thence South 78 degrees 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less.

all for the total price of \$131,362.00, as more particularly set forth in proposal to purchase which is on file in the office of the Fort Wayne Redevelopment Commission and is by reference incorporated herein and made a part hereof, is in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-15-73 on the 27th day of February, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1972, at the hour of 4 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-27

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-27, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE NO. S-16-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as SPECIAL ORDINANCE NO. S-16-73

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-27

SPECIAL ORDINANCE NO. S-16-73

AN ORDINANCE approving City of Fort Wayne Resolution to purchase real estate from the Fort Wayne Redevelopment Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the City of Fort Wayne, Department of Redevelopment, adopted December 11, 1972, said property being:

Lot 24, TOGETHER with those parts of Lots 23, 22 and 21, lying Southwesterly of the right-of-way of former New York, Chicago, and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. Survey of 1947 in COUNTY ADDITION;

ALSO, Lots 35, 36, 37, EXCEPT the South 22 feet thereof, TOGETHER with those Parts of Lots 38 and 39, EXCEPT the South 22 feet thereof, lying Southerly and Westerly of 2290 square feet of land conveyed to the former New York Chicago and St. Louis Railroad Company by Instrument recorded in Deed Record 484, pages 375-376;

TOGETHER with VACATED alleys situated between and adjacent to the aforesaid lots;

ALL being a Part of COUNTY ADDITION to the City of Fort Wayne as re-copied and recorded in Plat Book "O", page 3, in the office of the Recorder of Allen County;

and by metes and bounds described as follows to-wit:

Commencing at the Northwest corner of Lot 24 in said COUNTY ADDITION, defined as the intersection of the South line of Columbia Street by the East line of Lafayette Street as platted; thence North 78 degrees 20 minutes East (Adjusted Baker Bearing), a distance of 110.0 feet; thence South 58 degrees 20 minutes East along the Southwesterly right-of-way line of said Railroad, a distance of 235.8 feet, more or less, to a point on the Southerly line of a VACATED 14-foot wide alley; thence South 78 degrees 17 minutes 58.8 seconds west along said Southerly line of said VACATED alley, a distance of 30 feet; thence South 11 degrees 42 minutes 10.9 seconds East, a distance of 29.92 feet to a point; thence South 80 degrees 39 minutes 45.3 seconds East, a distance of 69.31 feet to the East line of Lot 39, being coincidental with the East line of COUNTY ADDITION to a point by deed situated 18.89 feet, more or less, South of the right-of-way line of said Railway; thence South

1 degree 30 minutes East on the East line of said COUNTY ADDITION, a distance of 76.5 feet, more or less, to a point situated 22 feet normally distant Northerly of the North line of Main Street, as in said Plat recorded; thence South 78 degrees 20 minutes West on a line parallel to said Main Street and a distance of 304.0 feet to the West line of Lot 35 in said Addition, being also situated on the East line of Lafayette Street, at a point situated 22 feet Northerly of the Southwest corner of said Lot 35; thence North 11 degrees 40 minutes West along the East line of Lafayette Street, a distance of 292 feet to the point of beginning; containing 69,650 square feet, more or less, or, 1.599 acres, more or less.

ALSO, Part of Lot 40 TAVER'S ADDITION to the City of Fort Wayne, Indiana, as recopied and recorded in plat "0", page 6, in the office of the Recorder of Allen County, lying Southwesterly of the right-of-way of the former New York, Chicago and St. Louis Railroad, now the Norfolk and Western Railway, as established by the Michael Baker, Jr. survey of 1947, known as "Old Fort Park" and by metes and bounds described as follows to-wit:

Commencing on the West line of said Lot 40 being coincidental with the East line of Lot 39 in COUNTY ADDITION to the City of Fort Wayne as recopied and recorded in Platt Book "0", page 3 at a point situated 22 feet normally distant Northerly of the North line of Main Street and 22.3 feet North of the South corner of said Lot 40; thence North 1 degree 30 minutes West (adjusted Baker bearing), a distance of 95.4 feet, more or less, to the Southwesterly right-of-way line of said railroad; thence South 58 degrees 20 minutes East on the line aforesaid, a distance of 131.1 feet to the West line of Clay Street as in said plat of TAVER'S ADDITION established; thence South 33 degrees 16 minutes West, a distance of 4.3 feet, more or less, to a point situated 22 feet normally distant North of the North line of Main Street; thence South 78 degrees 20 minutes West on a line parallel to said Main Street, a distance of 108.4 feet to the point of beginning; containing 5350 square feet or, 0.123 acres, more or less;

The two tracts hereto fore described have a COMBINED AREA of 75,000 square feet or, 1.722 acres.

- NOTE: (1) The foregoing descriptions are based on current field measurements along Lafayette Street, and computations from the Michael Baker, Jr. survey, SHEET 3 of 6, Scale: 1 inch=50 feet, dated June 14, 1947.
- (2) The 0.6-foot shortage in the block, indicated on said Baker Survey along Lafayette Street between Main Street and Columbia Street does not exist, using present curb lines on Columbia Street, Main Street, and the first alley South thereof.
- (3) Bearings used in Deed Record 484, pages 375-376, appear to conform with the Baker Survey bearings. However, the bearing for the East line of COUNTY ADDITION is not indicated on the Baker Survey and the bearing in the deed aforesaid and our computed bearing do not agree.

all for the total price of \$109,751.80, as more particularly set forth in proposal to purchase which is on file in the office of the City of Fort Wayne, Department of Redevelopment and is by reference incorporated herein and made a part hereof, is in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-16-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-31

RESOLUTION NO. R-LOST

A RESOLUTION authorizing the Department of Urban Affairs to apply for a grant.

WHEREAS, the Department of Health, Education and Welfare has available funds for grants to communities for the purpose of educating local citizens, elementary and secondary school children with the knowledge of environmental problems and solutions; and

WHEREAS, obtaining such a grant would be highly beneficial to the citizens of Fort Wayne in that it would permit the making of an environmental educational film to be shown to adults and children throughout the City and its surrounding areas in regard to local pollution problems and their cures; and

WHEREAS, the maximum cost of such a film would be \$62,500.00; and

WHEREAS, the maximum from the Department of Health, Education and Welfare would be \$50,000.00 and the City's contribution would be \$12,500.00 in-kind services and/or cash.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Department of Urban Affairs of the City of Fort Wayne is hereby authorized to apply for such a grant.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Lost by the following vote:

AYES: One
Moses
NAYS: Six
Burns, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

BILL NO. R-73-02-33

RESOLUTION NO. R-07-73

A RESOLUTION transferring certain funds in the 1973 Budget of the Three Rivers Coordinating Council.

WHEREAS, there are insufficient funds in Account No. 82-3-363, Other Office Supplies, to efficiently classify expenditures; and

WHEREAS, there are sufficient funds in Account No. 82-2-362, Stationery & Printing, to cover such expenditures.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

\$700.00 From Account No. 82-3-362, Stationery & Printing
\$700.00 To Account No. 82-3-363, Other Office Supplies

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-07-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-35

RESOLUTION NO. R-08-73

A RESOLUTION transferring certain funds in the 1973 Budget of the City of Fort Wayne - Motor Vehicle Highway Department.

WHEREAS, the detailed budget of the Motor Vehicle Highway Department for the year 1973 was prepared in summary fashion as in previous years; and in order for the Street Department to more closely conform with accounting procedures of the Civil City of Fort Wayne, the following transfers are to be effected within the Motor Vehicle Highway Department:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: That the following sums are hereby transferred from the following account:

TRANSFER FROM:

28-2-261	Slurry, Repave and Other Improvements	\$100,000
28-3-370	Other Supplies	50,000
28-7-722	Motor Equipment and Rental	1,200

TRANSFER TO:

28-2-252	Equipment Repair	\$ 80,150
28-2-226	Utilities	7,900
28-2-212	Postage	200
28-2-213	Travel Expense	1,500
28-2-241	Printing, Other Than Office	1,250
28-3-321	Gas and Oil	24,000
28-3-324	Other Garage and Motor Supplies	25,000
28-3-363	Other Office Supplies	1,000
28-7-725	Office Equipment	1,200

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-08-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-36

RESOLUTION NO. R-09-73

A RESOLUTION transferring certain funds in the 1973 Budget of the Expressway Fund to the General Fund.

WHEREAS, the Expressway Fund carried in the accounts of the City Controller's Office was originally established through tax levy; and

WHEREAS, the City Controller's Office can find no records of expenditures from this fund since its original creation nor is there any present proposed expenditures; and

WHEREAS, according to Burns 61-1201, the Expressway Fund is properly classified as dormant and the balance of \$82,353.10 should be transferred to the General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

From Account No. 35, Expressway Fund \$82,353.10

To Account No. 10, General Fund \$82,353.10

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven

Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

ABSENT: Two

Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-09-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-05

SPECIAL ORDINANCE NO. S-17-73

AN ORDINANCE approving vacation of an unopened portion of Glenwood Avenue.

WHEREAS, Robert E. Livergood, Sr. and Naomi Livergood and Clayton T. Hetrick and Roberta G. Hetrick have petitioned the City Plan Commission and the Common Council to approve the vacation of the following described portion of a street located within the City of Fort Wayne, Indiana, to-wit:

That portion of Glenwood Avenue commencing at a point of the southeast corner of Lot No. 4 of Arnolds' suburban Division (recorded in Plat Book 17 at page 95 in the office of the County Recorder of Allen County, Indiana) and running in a westerly direction along the aforementioned Lot No. 4 a distance of 292 feet and then in a southerly direction a distance of 50 feet to the northwest corner of Lot No. 5 of the aforementioned division and then in an easterly direction 292 feet to the northeast corner of Lot No. 5 and then in a northerly direction to the place of beginning, such place of beginning being the southeast corner of Lot No. 4 in the aforementioned division, this right of way being 50 feet in width and 292 feet in length.

WHEREAS, the Plan Commission gave due notice of a public hearing on said petition and held said public hearing on November 27, 1972, at 7:30 o'clock P.M.; and,

WHEREAS, The Plan Commission following said public hearing approved said vacation on November 27, 1972;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the vacation of said portion of a street hereinabove described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana;

2. That the vacation of said portion of a street hereinabove described be and the same is hereby approved; and,

3. That this Ordinance be forwarded to the Board of Public Works of the City of Fort Wayne, Indiana,

for the action it deems advisable.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-17-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-02-08

ZONING ORDINANCE Z-02-73

AN ORDINANCE amending Section 24, Article V of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to certain filing fees.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 24 A of the Fort Wayne Municipal Code Chapter 36 is hereby repealed and in lieu thereof a new Section 24 A of said Code is hereby enacted as follows:

Section 24 - filing Fees

A. For each application for an Improvement Location Permit, the sum of six dollars (\$6.00) to be paid to and collected by the Building Commissioner.

SECTION 2. In all other respects except as hereinabove amended said Chapter 36 of the Municipal Code of the City of Fort Wayne remains in full force and effect.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approved by the Mayor and due publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Five
Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: One
Burns,
ABSTAINED: One
Moses
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-02-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. G-73-02-30

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-73-02-30, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and GENERAL ORDINANCE NO. G-05-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-73

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. G-73-02-30

GENERAL ORDINANCE NO. G-05-73

AN ORDINANCE confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Harmer Street Project I proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution - Harmer Street Project I of the Fort Wayne Redevelopment Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Fort Wayne Redevelopment Commission adopted Declaratory Resolution - Harmer Project I on December 11, 1973, based on plans filed in the office of said Redevelopment Commission; a copy of which Declaratory Resolution is attached hereto, made a part hereof and marked "Exhibit A".

SECTION 2. That the Plan Commission of the City of Fort Wayne at its regular meeting on December 18, 1972, adopted and issued a written order approving said Declaratory Resolution and the Urban Renewal Plan referred to therein relative to the said Harmer Street Project I; a copy of which Approval Order is attached hereto, made a part hereof and marked "Exhibit B".

SECTION 3. That the foregoing actions set forth in Sections 1 and 2 herein of the said Redevelopment Commission and said City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953, (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and said actions are hereby approved, ratified and confirmed.

SECTION 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-02-10

GENERAL ORDINANCE NO. G-04-73

An Ordinance amending the Plumbing Ordinance of the City of Fort Wayne, Indiana, Chapter 39 of the Municipal Code, by deleting Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 22, and 27, and by adding thereto sections for registering plumbing contractors licensed by the Indiana Plumbing Commission.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. It is the purpose of this ordinance to bring the Plumbing Ordinance of the City of Fort Wayne, Indiana, into compliance with the Statutes of the State of Indiana, adopted in 1971, which provide for an Indiana Plumbing Commission and the issuance of licenses by said Commission to all plumbing contractors, journeymen plumbers and certificates of registration to all apprentice plumbers in the State of Indiana, the only function now authorized for cities and other political subdivisions of the State by said legislation with regard to the qualifications of plumbers being the registration of plumbing contractors as duly licensed by the Indiana Plumbing Commission.

SECTION 2. Chapter 39 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by removing therefrom the following sections:

- Section 4. Board of Examiners.
- Section 5. Meeting of Boards, Examinations.
- Section 6. License Required.
- Section 7. Applications and Qualifications of Master Plumbers.
- Section 8. ~~Same - Failure of Examinations~~
- Section 9. Same - Definitions.
- Section 10. Same - Fees.
- Section 11. Same - Licenses for Firms, Combinations or Corporations.
- Section 12. Same - Term of License.
- Section 13. Same - Performance and Indemnity Bond.
- Section 14. Application and Qualifications of Journeymen Plumbers.
- Section 15. Same - Definitions.
- Section 17. Unlawfully Securing Permits for others.
- Section 22. Revocation of License.
- Section 27. Penalties.

SECTION 3. Chapter 39 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended by adding thereto the following to replace those sections deleted by this Ordinance:

SECTION 4. Registration Required

It shall be unlawful for any person, firm, co-partnership, association, or corporation to act in the capacity of a plumbing contractor in the City of Fort Wayne, Indiana, without first obtaining a license from the Indiana Plumbing Commission as a plumbing contractor and without registering with the Building Commission of the City of Fort Wayne as provided in Chapter 37 Section 109.3.2 following the issuance of said State license.

SECTION 5. Same - Definitions.

Plumbing contractors, as designated in this Chapter shall mean any persons, firms, co-partnerships, associations, or corporations, who, for compensation, undertake to, or submit a bill to, or does himself or itself or by others, construct, repair, alter, remodel, add to, subtract from, or improve plumbing as said term is defined by the Statutes of the State of Indiana, and who is responsible for substantially all the plumbing within the entire project or one who fabricates units of plumbing substantially completed and ready for installation.

License, as designated in this Chapter, shall mean a certificate issued by the Indiana Plumbing Commission which confers upon the holder a privilege to act as a plumbing contractor within the State of Indiana.

SECTION 6. Certificate not Transferable.

A Certificate of Registration issued by the Building Commissioner is not transferable. No registered plumbing contractor shall act as the agent for a plumber who has not obtained a Certificate of Registration and a plumbing contractor's license from the Indiana Plumbing Commission. A violation of this rule will be deemed a sufficient reason by the Building Commissioner of the City for the cancellation of a new Certificate of Registration.

SECTION 7. Unlawfully Securing Permits for Others.

Any person registered as required by this Chapter, who shall take out or secure a permit such as required by this Chapter for work to be done by any person not connected with such registered person nor in the employ of such person, or who shall allow his or its name to be used by any other person, firm, co-partnership, association, or corporation for the purpose either of doing any such work or obtaining permit therefor, shall upon such act, upon conviction thereof, forfeit his Certificate of Registration, and the Building Commissioner and Chief Plumbing Inspector, Board of Public Health, or either of them, shall thereafter refuse to issue any further permits to construct, install, alter or repair any plumbing equipment under any Certificate of Registration so forfeited.

SECTION 8. Revocation of Certificate of Registration.

The Board of Public Health of the City shall be empowered to revoke the Certificate of Registration of any plumbing contractor where the provisions of this Code have been violated, upon charges brought by the Building Commissioner.

SECTION 9. Penalties and Certification to Indiana Plumbing Commission.

Any person registered under the provisions of the Code, or any person including owners of and agents for, real estate being improved by work governed by the provisions of this Chapter who shall violate any of the provisions of this Chapter or fail to comply with any of such provisions, shall be subject, upon conviction thereof, to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for the first offense; and for the second and each subsequent offense thereafter not less than Twenty-Five Dollars (\$25.00). If any plumbing contractor should fail to obtain a Certificate of Registration or any annual renewal thereof as provided in this Chapter that fact shall be certified by the Building Commissioner to the Indiana Plumbing Commission for any action it deems necessary.

SECTION 10. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause, provision, or portion of this Ordinance.

SECTION 11. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: One
Burns
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-04-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-12

SPECIAL ORDINANCE NO. S-18-73

AN ORDINANCE approving Gift of Conveyance of real estate from
Amos Bauman and Mary Alice Bauman, husband and wife.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement of Amos Bauman and Mary Alice Bauman, husband and wife, each over the age of 21 years, with the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the real estate described as follows, to-wit:

The west forty (40 feet of the following described real estate in the west one half of the southwest one quarter of Section 29, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Beginning at a point on the west line of the said one half of the southwest one quarter, 1774.52 feet south of the west one quarter corner of the said Section 29; thence north 88 degrees, 59 minutes east 272 feet; thence south parallel with the west line of the said west one half of the southwest one quarter, 160 feet; thence south 88 degrees, 59 minutes west, 272 feet to the west line of the said one half of the southwest one quarter; thence north on the west line of the said west one half of the southwest one quarter, 160 feet to the place of beginning;

is hereby in all things ratified, confirmed and approved.

SECTION 2. The City of Fort Wayne is authorized to accept Deed of Gift for said hereinabove described real estate from Amos Bauman and Mary Alice Bauman, husband and wife.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

DATE: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-18-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-13

SPECIAL ORDINANCE NO. S-19-73

AN ORDINANCE approving Change Order No. 1 of L. W. Dailey, Incorporated, for additional work performed in construction of Dodge Avenue from Elwood Drive to Reed Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 of L. W. DAILEY, INCORPORATED, approved January 18, 1973 by the City of Fort Wayne, by and through its Mayor and Board of Public Works, for contract approved under Ordinance No. S-05-72, for additional Work performed in construction of Dodge Avenue from Elwood Drive to Reed Road, in the amount of \$1350.10, a copy of which Change Order is attached hereto and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-19-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-14

SPECIAL ORDINANCE NO. S-20-73

AN ORDINANCE approving a contract with the REDEVELOPMENT COMMISSION for purchase of property in the Hanna-Creighton redevelopment area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved January 18, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the REDEVELOPMENT COMMISSION, for:

The purchase of Lots #17 and #18 plus the east 5 ft. of Lot #16,
Hanna-Creighton Subdivision in the City of Fort Wayne for Wallace
Substation,

for a total cost of \$21,903.50, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9008, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Talarico, Stier
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-20-73 on the 27th day of February, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-02-24

Councilman Burns, moved to suspend the rules on passage of Bill No. S-73-02-24, at this meeting of February 27, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and SPECIAL ORDINANCE NO. S-21-73 was accordingly placed on its passage.

DATE: 2-27-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-21-73

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 2-27-73

Charles W. Westerman
City Clerk

BILL NO. S-73-02-24

SPECIAL ORDINANCE NO. S-21-73

AN ORDINANCE approving a contract with LESTER SALES (HAPCO) for equipment to be used on the Washington-Maumee Lighting Project.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and LESTER SALES (HAPCO), for:

62	Alum. breakaway lighting poles with 8' bracket arm. Hapco Lester Sales C. Shaft Cat. #56666-001 Arm Cat. #56667-002	\$12,152.00
19	35' Alum. breakaway lighting poles with double 8' arm bracket arms. Hapco Lester Sales Co. Shaft Cat. #56666-002 Arm Cat. #56667-002	\$ 4,484.00
	TOTAL	\$16,636.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9569, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-21-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-32

RESOLUTION NO. R-10-73

A RESOLUTION authorizing payment for repairs to a City-owned planter.

WHEREAS, Thomas D. Oswald, in an accident, damaged the planter at 2500 Maple Place; and
WHEREAS, settlement in the amount of \$224.24 was paid by the Economy Fire and Casualty Co. to the Controller's Office, which money was received into the General Fund; and
WHEREAS, City Utilities has submitted an invoice in the amount of \$224.25, which sum is the reasonable value of said repairs;
NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
1. That the City Controller is authorized to pay the sum of \$224.25 to City Utilities for repairs to said planter.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-10-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-34

RESOLUTION NO. R-11-73

A RESOLUTION ENDORSING CHILD ACTIVITY PROGRAM

WHEREAS, in our community, 70% of working mothers have children between ages 6 and 15, and lack the resources for After School Activity; and

WHEREAS, many of these children have no place to play, nothing to do, and nowhere to go before and after school closes; and

WHEREAS, as more women are employed away from home there is more need for a place where a school age child can be cared for during after school hours; and

WHEREAS, community organizations such as athletic or girls' clubs are usually limited in what they intend and are able to provide and where hours of participation may be restricted and the scope of activities may be narrow; and

WHEREAS, school age children normally spend much of their time away from the family and day care for these children provides a well planned way for the children and families to benefit from these away-from-home hours; and

WHEREAS, one of the largest areas of unrecognized neglect lies in the need for care of school age children who are left to care for themselves out of school hours, during holidays and vacation time; and

WHEREAS, a pilot program for Junior High and Senior High students is now in operation on Saturday mornings for 10 weeks and at three Junior High Schools serving in excess of 200 boys; and

WHEREAS, more school gymnasiums need to be made available for expansion of after school recreation programs, and

WHEREAS, said program is a cooperative planning effort between many private and public agencies and is being funded by Indiana Criminal Justice Planning Agency to prove the need for an expanded program.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana that it does hereby endorse the concept of After School Activity Programs and commits itself to consider future financial requests made by the Fort Wayne Park Board to expand this program, and

BE IT FURTHER RESOLVED that said Common Council encourages the Fort Wayne Community Schools to make available more school gymnasiums and facilities for after school recreation programs.

Samuel J. Talarico
Councilman

Read the third time in full and on motion by Talarico, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Hinga, Kraus

Date: February 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-11-73 on the 27th day of February, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Acting Mayor, the City Controller of the City of Fort Wayne, Indiana, on the 28th day of February, 1973, at the hour of 7:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of March, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-19

SPECIAL ORDINANCE NO. S-22-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for (1) Van type Truck 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 500 dated February 9, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:
ALLEN COUNTY MOTORS, INC.

(1) Van type Truck 1973 - no trade in \$3,190.00 as more specifically set forth in said bid document Ref. No. 500 and Purchase Order No. 3-13203 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga and seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: March 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-22-73 on the 13th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-02-04

RESOLUTION NO. R-12-73

A RESOLUTION APPROVING BUDGET OF FORT WAYNE AND ALLEN COUNTY
CONVENTION AND TOURISM AUTHORITY FOR 12-MONTH PERIOD, BEGINNING
1/1/73 and ending 12/31/73.

WHEREAS, the Board of Managers of Fort Wayne and Allen County Convention and Tourism Authority has prepared and has submitted to the Common Council of the City of Fort Wayne its budget for the calendar year 1973 covering projected operating expenses, estimated income totally from Hotel room tax and a reserve fund, all as more particularly hereafter set forth; and

WHEREAS, Burns Ind. Rev. Stat. 26-238 1972 Cum Poc. Suppl. requires not only the County Council but also the Common Council of the City of Fort Wayne to review, approve or reject same; and

WHEREAS, the Common Council of the City of Fort Wayne has reviewed said 1973 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. The following proposed budget for the 12-month period beginning 1/1/73 and ending 12/31/73 of Fort Wayne and Allen County Convention and Tourism Authority, which reads as follows:

INCOME

Estimated income from hotel room tax	<u>\$150,000.00</u>
--------------------------------------	---------------------

EXPENSES

Consultant's fee for feasibility study	20,000.00
Administrative Expenses (rent, salaries, et.)	20,000.00
Attorney Fees	2,500.00
Miscellaneous Expenses (travel, office supplies, etc.)	<u>3,000.00</u>
Total Expenses	45,500.00

<u>RESERVE FUND</u>	<u>104,500.00</u>
---------------------	-------------------

150,000.00	\$150,000.00
------------	--------------

is hereby approved.

William T. Hinga
Councilman

Winfield C. Moses, Jr., President of the Common Council has ordered the Clerk to read R-73-02-04 for the third time and has ordered to call the roll and place R-73-02-04 on its passage.

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: March 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-12-73 on the 13th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-03-06

RESOLUTION NO. R-13-73

A RESOLUTION approving grant from Environmental Protection Agency.

WHEREAS, the Environmental Protection Agency has tendered a grant offer to the City of Fort Wayne in the amount of \$2,511,200.00 for 75% of the final approved cost, whichever is less, on Project C180475 (St. Joe Interceptor Sewers, being all or parts of SJ-2, SJ-5, SJ-6, SJ-7); and

WHEREAS, the Board of Public Works of the City of Fort Wayne has adopted a resolution authorizing the acceptance of said grant offer:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That aforesaid resolution of the Board of Public Works be, and it hereby is ratified and approved.
2. The City of Fort Wayne be, and it hereby is, authorized to accept the aforesaid grant from the Environmental Protection Agency.
3. Jerry D. Boswell, Chairman of the Board of Public Works, be and he hereby is authorized and directed to a) execute the necessary instruments or documents on behalf of the City of Fort Wayne, Indiana, accepting said grant; b) to make the assurances contained therein; c) to execute any subsequent documents pertaining to said Federal Grant.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
BURNS, HINGA, KRAUS, MOSES, NUCKOLS, D. SCHMIDT, V. SCHMIDT, STIER, TALARICO
NAYS: None

Date: March 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-13-73 on the 13th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-01-16

GENERAL ORDINANCE NO. G-06-73

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance

No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

SPEED LIMIT 35 MPH

Wells St. - from Franke Park Dr. - to Northrop Street

SECTION 2. That Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by deleting therefrom the following:

SPEED LIMIT 40 MPH

Wells St. - from 700 ft. N/Spy Run Creek - to Northrop Street

SECTION 3. That Schedule 3, Section 170 "One-Way Streets and Alleys" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by deleting from sub-paragraph (a) "Streets" from the following:

ONE WAY STREET

<u>STREET</u>	<u>DIRECTION</u>	<u>FROM</u>	<u>TO</u>
Darrow Avenue	westbound	Clinton St.	Calhoun St.
Oakdale Drive	eastbound	Harrison St.	Clinton St.

SECTION 4. That Schedule 3, Section 170 "One-Way Streets and Alleys", of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto to sub-paragraph (a) "Streets" thereof the following:

ONE WAY STREET

<u>STREET</u>	<u>DIRECTION</u>	<u>FROM</u>	<u>TO</u>
College St.	southbound	Berry Street	Washington Blvd.
Lillian Avenue	eastbound	Goshen Street	Hensch Street
Northside Drive	northbound	State Blvd.	Stadium Drive

SECTION 5. That Schedule 4, Section 171 "Through Streets" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by deleting therefrom the following:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Wells	Superior Street	North City limits - except Superior Street and State Blvd.

SECTION 6. That Schedule 5, Section 172 "Intersections Where Stop Required" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by deleting therefrom the following:

STOP INTERSECTION

Beacon Street -- stop -- at State Blvd.

SECTION 7. That Schedule 5, Section 172 "Intersections Where Stop Required" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

STOP INTERSECTION

Taylor Street	--	stop	-- at Freeman Street
Crescent Avenue	--	stop	-- at Tennessee Avenue
Clinton Court	--	stop	-- at Oakdale Drive
Merchandise Drive	--	stop	-- at Ley Road
Spring Street	--	stop	-- at Lindenwood Avenue
Sherwood Terr	--	stop	-- at Arlington Avenue
Pennsylvania St.	--	stop	-- at Kitch Street

SECTION 8. That Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets", of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by deleting therefrom the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Northside Dr.	west	150'N/State Blvd.	75'S/Stadium Dr.
Oakdale Dr.	south	Calhoun St.	Clinton Court
Lewis St.	south	Clinton St.	Calhoun St.

SECTION 9. That Schedule 7, Section 174, "Parking Prohibited at All Times on Certain Streets" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Madiera Dr.	both	Reed Rd.	eastern terminus
Northside Dr.	east	State Blvd.	700'N/thereof
Monroe St.	west	190'S/Dalman Ave.	320'S/thereof
Wabash Ave.	east	Wayne Trace	S/RWL/Penn Central RR

SECTION 10. That schedule 8, Section 175 "Parking Prohibited During Certain Hours on Certain Streets", of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

NO PARKING 3:00 A.M. - 6:00 P.M. EXCEPT SATURDAY & SUNDAY

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Calhoun St.	east	Brackenridge St.	Lewis St.

NO PARKING 6:00 P.M. - 6:00 A.M.

Oakdale Dr.	South	Calhoun St.	Clinton Court
-------------	-------	-------------	---------------

SECTION 11. That Schedule 11, Section 177 (b) "Parking Time Limited on Certain Streets", 90-Minute Parking 8:00 A.M. to 6:00 P.M., of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Wallace St.	south	Harrison St.	Webster St.

SECTION 12. That Schedule 12, Section 177 (c) "Parking Time Limited on Certain Streets" 2-Hour Parking 8:00 A.M. to 6:00 P.M. of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Lewis	south	Calhoun St.	Clinton St.

SECTION 13. That Schedule 12, Section 177 (c) "Parking Time Limited on Certain Streets" 2-Hour Parking 8:00 A.M. to 6:00 P.M. of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Wabash St.	east	50ft. S/RWL/ Penn Central RR	Wayne Trace

SECTION 14. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and legal publication.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: March 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-06-73 on the 13th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-20

SPECIAL ORDINANCE NO. S-23-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for (1) 1/2 Ton Pick Up Truck 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 501 dated February 12, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

ALLEN COUNTY MOTORS, INC.

(1) 1/2 Ton Pick Up Truck 1973 with trade-in \$2,440.00

as more specifically set forth in said bid document Ref. No. 501 and Purchase Order No. 3-13204 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: March 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-23-73 on the 13th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-21

SPECIAL ORDINANCE NO. S-24-73

AN ORDINANCE approving an Agreement with BERCOT INC. for construction of a water line in Woodland Acres Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved February 13, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and BERCOT, INC. for installation of a water line, to be constructed and installed as follows:

1770+ feet of 6 inch water main in and along the north side of Oakwood Dr., from the west property line of Hessen Cassel Road to the west property line of Lot 16, also along the west side of Waycross Dr., from the north property line of Oakwood Dr., to the north property line of lot 19, all in Woodland Acres Addition. And said water main with all its appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City.

for a total cost of \$20,141.10 on which the City will be paying \$2,016.70 with balance paid by property owners all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: March 13, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-24-73 on the 13th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of March, 1973, at the hour of 9:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-02

SPECIAL ORDINANCE NO. S-25-73

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of Ley Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved February 26, 1973, between the city of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC. for the paving of Ley Road, as follows:

Ley Road from the easterly pavement edge of State Road No. 3 to a point approximately 2,566 feet east thereof.

for a total cost of \$232,905.81, of which approximately \$83,644.00 will be paid by the property owners, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: March 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-25-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-03

SPECIAL ORDINANCE NO. S-26-73

AN ORDINANCE authorizing the execution of a deed to Greenway Corp.
for certain real estate owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

The real estate conveyed to the City of Fort Wayne by deed recorded in Deed Record 344, page 212, in the Office of the Recorder of Allen County, Indiana, being described therein as:

Tract "D" being the Dam Site and Guard Bank on the left bank of the St. Joseph River on Martin farm, more particularly described as follows, to-wit:
Commencing at the southeast corner of the north abutment of the Feeder Dam at low water mark; thence easterly parallel with said abutment 200 feet; thence northwardly parallel with the Feeder Dam 200 feet; thence westerly at right angles to said Dam to the thread of the St. Joseph River; thence with the meanderings of the thread of said river to the place of beginning. ALSO commencing on the center line of the guard bank where the north line of the last described tract crosses the same; thence west on said north line 100 feet; thence in a northerly direction parallel with the center of said guard bank to the north end thereof; thence eastwardly 100 feet; thence south to the place of beginning. Also a strip of land on the east side of said guard bank and parallel with said center line and of the width of 30 feet from said center line extending the whole length of said guard bank except however the right to keep, maintain, and use a private road across said guard bank where same now exists, said tract "D" containing 7 acres, more or less.

It being intended hereby to convey to Buyer all of the Real Estate owned by Seller and lying within the larger parcel of Real Estate in Allen County, Indiana, and described as:

Part of Richardville Reserve on the East and South Bank or left bank of the St. Joseph River in Township 31 North, Range 13 East, in Allen County, Indiana, by Grant recorded in United States, Statutes at Large Vol. 7, pages 300-303, described as follows, to-wit:

Commencing at the point of intersection of the South/West boundary line on said Reserve by the centerline of public highway known as St. Joe State Road; thence North 42 degrees 13 minutes East along said road centerline, a distance of 1132.21 feet, (1130.7 feet in Deed) to Northeast corner of Diocese of Fort Wayne - South Bend property; thence North 53 degrees 40 minutes West (Deed bearing) by a deflection left 95 degrees 42 minutes along an established line fence, a distance of 1779.0 feet, more or less, to the low water mark of the left bank of said River; thence downstream along the low water mark of said river with the meanderings thereof a distance of 7200.0 feet, more or less, to its intersection with the South/West boundary line as established of the said Richardville Reserve; thence South 60 degrees East, along the aforesaid boundary line 1940.0 feet, more or less, to the point of beginning;
(All as shown on amended survey prepared by Carl A. Hofer dated April 17, 1969.)

and

WHEREAS, this Council has determined that it will be in the best interest of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to Greenway Corporation, for the parcel of real estate herein described, such deed to be in the form of a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all the members of the Common Council present and there are present and voting at least two-thirds of all the members elect of said Common Council.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: March 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-26-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-04

SPECIAL ORDINANCE NO. S-27-73

AN ORDINANCE approving a contract with GENERAL ELECTRIC SUPPLY CO. for inventory material.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 18, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL ELECTRIC SUPPLY CO., for:

4000 ft.	500,000 CM, 37 strand, 5000 volt, triplexed copper cable, semi-conducting tape, .090" Vulkene insulation, semi- conducting tape, tinned copper concentric wire shield, tape, .080" PVC Jacket	\$20,084.00
----------	---	-------------

4 reels	G.E. No. S1 58064 Reel Deposit	1,200.00
---------	-----------------------------------	----------

all for a total cost of \$21,284.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER

No. 9477, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: March 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-27-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-05

SPECIAL ORDINANCE NO. S-28-73

AN ORDINANCE approving a contract with NATIONAL MILL for Westinghouse Transformers for 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 20, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NATIONAL MILL, for:

20	25KVA Conventional Distribution Transformers, single phase, 60 cycle, 2400/4160Y to 120/240 volts, without taps, oil-filled (including discount: .24)	
	Westinghouse No. A2312 A25 AA 201.40/ea. Net.	\$4,028.00
	On Annual Blanket Contract	
10	50 KVA Conventional Distribution Transformers, single phase, 60 cycle, 2400/4160Y to 120/240 volts, without taps, oil-filled (including discount: .24)	
	Westinghouse No. A2312 A50 AA	<u>\$3,176.80</u>
	On Annual Blanket Contract	
	TOTAL	\$7,204.80

all for a total cost of \$7,204.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9529, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: March 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-28-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-03-21

RESOLUTION NO. R-16-73

RESOLUTION authorizing the temporary advancement of Funds from the Park Trust Fund, Park Cumulative Fund, Redevelopment General Fund, Redevelopment District Capital Fund, Sewer Relief Fund, St. Mary's River Impounding Fund, Local Road & Street Fund, and Redevelopment R-51 Fund to the Civil City General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund, for the period ending June 30, 1973.

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of Civil City General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of the Park Trust Fund, Park Cumulative Fund, Redevelopment General Fund, Redevelopment District Capital Fund, Redevelopment R-51 Fund, Sewer Relief Fund, St. Mary's River impounding Fund and Local Road & Street Fund which can be temporarily advanced or transferred to said Civil City General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund;

NOW THEREFORE, BE IT RESOLVED, that the Controller of the City of Fort Wayne be and he is hereby authorized and directed to transfer the sum of \$2,200,000 from the following funds:

\$240,000 from Redevelopment R-51 Fund
\$ 80,000 from Park Trust Fund
\$ 80,000 from Redevelopment General Fund
\$150,000 from Park Cumulative Fund
\$400,000 from Redevelopment District Capital Fund
\$500,000 from Sewer Relief Fund
\$250,000 from St. Mary's River Impounding Fund
\$500,000 from Local Roads & Street Fund

to the following accounts as follows:

\$1,500,000 to Civil City General Fund
\$ 300,000 to Park General Fund

\$ 100,000 to Public Lighting Fund
 \$ 100,000 to Cumulative Capital Fund
 \$ 100,000 to Fire Pension Fund
 \$ 100,000 to Police Pension Fund

which said sum of \$2,200,000 shall be returned and repaid to the respective funds on or before June 30, 1973.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
 NAYS: None

DATE: March 27, 1973

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-15-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-73-03-23

RESOLUTION NO. R-14-73

A RESOLUTION confirming an Approval order of the Fort Wayne City Plan Commission concerning the Neighborhood Development Program Project Ind. A-14 proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution - Neighborhood Development Program Project Ind. A-14 of the Fort Wayne Redevelopment Commission.

WHEREAS, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution - Neighborhood Development Program Project Ind. A-14 on March 19, 1973, based on plans filed in the office of said Redevelopment Commission; a copy of which Declaratory Resolution is attached hereto, made a part hereof and marked "Exhibit A".

WHEREAS, the Plan Commission of the City of Fort Wayne at its regular meeting on March 19, 1973, continued to March 22, 1973, adopted and issued a written order approving said Declaratory Resolution and the Urban Renewal Plan referred to therein relative to the said Neighborhood Development Program Project Ind. A-14; a copy of which Approval Order is attached hereto, made a part hereof and marked "Exhibit B."

WHEREAS, the foregoing actions set forth in Sections 1 and 2 herein of said Redevelopment Commission and said City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953, (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the said actions are hereby approved, ratified and confirmed.

John Nuckols
 Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: One
Moses

DATE: March 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-14-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

DECLARATORY RESOLUTION
NEIGHBORHOOD DEVELOPMENT PROGRAM
PROJECT IND. A-14

WHEREAS, the Fort Wayne Redevelopment Commission, governing body of the City of Fort Wayne, Department of Redevelopment, has made investigations, studies and surveys of various blighted, deteriorated and deteriorating areas within the City of Fort Wayne, Indiana and of the causes contributing to the blighting and deterioration of such areas; and

WHEREAS, such investigations, studies and surveys have been made in cooperation with the various departments and bodies of said City and have been directed toward determining the proper use of land improvements thereon so as to best serve the interests of the City and its inhabitants, both from the standpoint of human needs and economic values, and as a result of such investigations, studies and surveys, the Commission has found that the areas hereinafter described have become blighted, deteriorated and deteriorating to such an extent that such conditions cannot be corrected by regulatory processes or by the ordinary operations of private enterprise, without resort to the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and that the public health and welfare would be benefited by the acquisition and urban renewal of such areas under the provisions of said Act; and

WHEREAS, the Commission now further finds that the areas hereinafter described, because of the lack of development, cessation of growth, deterioration of improvements and character of occupancy, age and obsolescence, substandard character of the buildings and other factors which have impaired values and prevented a normal development of the land included in said areas or the use thereof, has become under current conditions undesirable for or impossible of normal development and occupancy; and

WHEREAS, the Commission now finds (a) that the hereinafter described areas within said City have become and now are blighted, deteriorated and deteriorating to such an extent within the meaning of the Redevelopment of Cities and Towns Act of 1952 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) that such conditions cannot be corrected by regulatory processes or the ordinary operations of private enterprise without resort to the provisions of said Act; (b) the public health and welfare would be benefited by the acquisition and urban renewal of said area under the provisions of said Act; (c) said hereinafter described blighted, deteriorated and deteriorating areas constitute a menace to the social and economic interests of the City of Fort Wayne and its inhabitants; (d) the acquisition and urban renewal of such areas in accordance with plans outlined by the Commission will be of public utility and benefit to the City of Fort Wayne and its inhabitants; and

WHEREAS, the Commission has heretofore caused to be prepared maps and plats showing the boundaries of the hereinafter described blighted, deteriorated and deteriorating areas, the location of the various parcels of property, streets, alleys and other features affecting the acquisition, clearance, re-planning, rezoning of urban renewal of such areas, indicating any parcels of property to be excluded from the acquisition and the portions of the areas acquired which are to be devoted to streets, alleys, sewage, playground and other public purposes under the urban renewal plan; also a list of the owners of the various parcels of property proposed to be acquired, all of which, appropriately identified by numbers, were filed on this date with the Commission; and

WHEREAS, the United States of America, acting by and through the Department of Housing and Urban Development (hereinafter referred to as "HUD") has made a Grant to the City of Fort Wayne for use in the acquisition and urban renewal of said areas; and

WHEREAS, said Grant is identified by HUD as Neighborhood Development Program IND. A-14; and

WHEREAS, said Grant is conditioned upon the City of Fort Wayne's submitting a plan to HUD by April

1, 1973; and

WHEREAS, the time restrictions attendant upon the announcement of said Grant and the deadline for submission of said plan are such that there has been no opportunity to cause separate appraisals to be made by two independent appraisers of the fair value of each of the parcels of property to be acquired but said appraisals are presently being made for submission to the Commission and for ratifications by the Commission of this resolution as amended by the data contained in the appraisals; and

WHEREAS, it is estimated from data within the possession of the Commission that the total cost of acquiring the property in the blighted, deteriorated and deteriorating areas hereinafter described shall not exceed the sum of \$5000,000.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Redevelopment Commission, governing body of the City of Fort Wayne, Department of Redevelopment that it hereby makes the findings of fact herein-before set forth and that the following described areas in the City of Fort Wayne, Indiana are found and declared to be blighted, deteriorated and deteriorating within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and which areas are bounded and described as follows:

Boundaries of East Central Renewal Area (NDP No. 1)

Beginning at a point formed by the intersection of the West right-of-way line of Lafayette Street and the north right-of-way line of Main Street, thence east along the north right-of-way line of Main Street to the Norfolk and Western Railroad track; thence easterly along said track to the east to the east right-of-way line of Coombs Street; thence south along said right-of-way line to the north right-of-way line of Wayne Street; thence east along said right-of-way line to the east right-of-way line of University Street, if extended; thence south along said right-of-way line to the northerly right-of-way line of Maumee Avenue; thence easterly along said right-of-way line to the east right-of-way line of Ohio Street; thence south along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to a point 230 feet more or less west of the right-of-way line of Chute Street; thence south along a line parallel to Chute Street to the south right-of-way line of Hugh Street; thence west along said right-of-way line to the west right-of-way line of Gay Street; thence north along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to the west right-of-way line of Lafayette Street; thence north along said right-of-way line to the north right-of-way line of Main Street, which is the point of beginning.

Boundaries of West Central Renewal Area (NDP No. 2)

Beginning at a point formed by the intersection of the north right-of-way line of Berry Street and the east right-of-way line of Fulton Street, thence south along the east right-of-way line of Fulton Street to the north right-of-way line of Jefferson Street; thence east along said right-of-way line to the east right-of-way line of Webster Street; thence south along said right-of-way line to the south right-of-way line of Baker Street; thence west along said right-of-way line for a distance of 20 feet more or less to a point; thence south along a line parallel to the right-of-way line of Webster Street, if extended, to the Penn Central Railroad track; thence west along said track to the centerline of Swinney Park Place; thence north along said centerline to the northerly right-of-way line of Jefferson Street; thence northeasterly along said right-of-way line to the west right-of-way line of Garden Street; thence north for a distance of 75 feet more or less to a point; thence west along a line perpendicular to Garden Street, for a distance of 220 feet more or less to a point; thence north along a line to a point on the south right-of-way line of Washington Street, said point being 165 feet more or less west of the west right-of-way line of Garden Street; thence north along a line to the center of St. Mary's River; thence northeasterly along said center to the northerly right-of-way line of Van Buren Street; thence south along said right-of-way line to the north right-of-way line of Berry Street; thence east along said right-of-way line to the east right-of-way line of Fulton Street, which is the point of beginning.

BE IT FURTHER RESOLVED that all proceedings relating to the acquisition and urban renewal of the above described areas the same shall be referred to as the Neighborhood Development Program Project IND. A-14.

BE IT FURTHER RESOLVED that the Urban Renewal Plan for the Neighborhood Development Program Project IND. A-14, dated 1973, and consisting of _____ pages and exhibits be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Commission now declares that the above described blighted, deteriorated and deteriorating areas constitute a menace to the social and economic interests of said City and its inhabitants and that the acquisition and urban renewal of such areas shown on the above described maps and plats under the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) will be of public utility and benefit, and that the City of Fort Wayne, Department of Redevelopment proposes to acquire all of such land and interest therein within said boundaries;

West Central Neighborhood Development Program No. 2: Defined into five separate target areas and bounded each as follows:

Target Area 1 - Generally bounded by Wilt Street on the north, the east property line of lots 7 and 13 on the east, Jones Street on the South and Nelson Street on the west.

Target Area No. 2 - Generally bounded by Lewis Street on the north, McClellan Street on the east the south property line of lot 37 to the south and the alley lying between Ewing and McClellan Street on the west.

Target Area No. 3 - Generally bounded by Wilt Street on the north, Broadway on the east, Lavina Street on the south and Van Buren Street on the west.

Target Area No. 4 - Generally bounded by Jefferson Street on the north, the alley lying between Van Buren Street and Broadway on the east, the alley lying between Jefferson and Wilt Streets on the south and Van Buren Street on the west.

Target Area No. 5 - Portion of a building located within the northeastern part of block No. 1 of the block bounded by Wayne Street on the north, Broadway on the East, Washington Blvd. on the south, and Van Buren Street on the west.

East Central Neighborhood Development Program No. 1:
Defined as follows:

Bounded on the north by Washington Blvd., on the east by King Street and Division Street, on the south by Madison Street and on the west by Harmer Street.

BE IT FURTHER RESOLVED that the acquisition, clearance, replanning and urban Renewal Plan for the Neighborhood Development Program Project IND. A-14.

BE IT FURTHER RESOLVED that a copy of this Resolution, together with said Urban Renewal Plan and supporting data be submitted to the City Plan Commission of Fort Wayne for examination by that body and its determination as to whether this Declaratory Resolution and said Urban Renewal Plan conform to the master plan of development for said City and for its written order approving or disapproving this Declaratory Resolution and said proposed Urban Renewal Plan.

BE IT FURTHER RESOLVED that if an approving order is issued by said City Plan Commission, the same shall be transmitted to the Common Council of the City of Fort Wayne, Indiana, for its approval.

BE IT FURTHER RESOLVED that upon receipt of the written order of approval of said City Plan Commission and the approval of the Common Council of the City of Fort Wayne, Indiana, a notice shall be published in accordance with the requirements of Section 14 of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State Indiana, as Amended and Supplemented, sections 48-8554 Burns Indiana Statutes Annotated, 1963 Replacement) fixing a date for the receiving and hearing of remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and for the final determination of the public utility and benefit of the proposed acquisition and urban renewal of the above described areas.

ADOPTED at a special meeting of the Fort Wayne Redevelopment Commission, governing body of the City of Fort Wayne, Department of Redevelopment duly held on March 19, 1973 at room 720, City County Building, One Main Street, in the City of Fort Wayne, Indiana.

CITY OF FORT WAYNE DEPARTMENT OF REDEVELOPMENT

Donald P. Eckrich, President

Hana L. Stith, Secretary

ATTEST:

Anthony Caruso

CERTIFICATE OF RECORDING OFFICER

I, Hana L. Stith, the duly appointed, qualified and acting Secretary of the Fort Wayne Redevelopment Commission do hereby certify that the attached resolution is a true and correct copy of the Resolution adopted at the special meeting of the Fort Wayne Redevelopment Commission, Governing Body of the City of Fort Wayne, Department of Redevelopment, held on the 19th day of March at 4:30 P.M.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 19th day of March, 1973.

Hana L. Stith
Secretary

RESOLUTION OF THE FORT WAYNE CITY PLAN COMMISSION

The City Plan Commission of the City of Fort Wayne in executive session on March 22, 1973, having before it a copy of the "Fort Wayne Redevelopment Commission's Declaratory Resolution - Neighborhood Development Program Project (Ind. A-14) adopted by the Redevelopment Commission on March 22, 1973, together with the Urban Renewal Plan referred to therein and the necessary supporting data and all of which having been duly considered, the Fort Wayne City Plan Commission upon motion by Ron Bonar, seconded by Dr. Boswell, and unanimously approved, adopted the following resolution:

HEREAS, The Fort Wayne Redevelopment Commission has submitted to the Fort Wayne City Plan Commission a Declaratory Resolution adopted by the Fort Wayne Redevelopment Commission on March 19, 1973, designated as "Declaratory Resolution - Neighborhood Development Program Project (Ind. A-14)", together with the Urban Renewal Plan referred to therein and supporting data all as required by the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and said Declaratory Resolution and Urban Renewal Plan having been duly considered by the Fort Wayne City Plan Commission and found to be in conformance with the Master Plan of Development for the City of Fort Wayne;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that said Declaratory Resolution Neighborhood Development Program Project (Ind. A-14) and said Urban Renewal Plan Conform to the Master Plan of Development for the City of Fort Wayne and said Declaratory Resolution and Urban Renewal Plan are accordingly

hereby approved.

BE IT FURTHER RESOLVED that the President of this Commission be and he is hereby authorized to deliver to the Fort Wayne Redevelopment Commission and to the Common Council of the City of Fort Wayne a certified copy of this resolution which shall constitute the approving order of the Fort Wayne City Plan Commission as required by law approving said Declaratory Resolution - Neighborhood Development Program Project (Ind. A-14) and said Urban Renewal Plan.

Gretchen Wiegel, Secretary, Fort Wayne City Plan Commission

STATE OF INDIANA)
COUNTY OF ALLEN)

I, Alan R. Grinsfelder, President of the Fort Wayne City Plan Commission, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission at an executive meeting of said Commission held on March 22, 1973, and as the same appears of record in the official records of the said Plan Commission dated the 22 day of March, 1973.

Approved:

Alan R. Grinsfelder
President of the Fort Wayne City Plan Commission

BILL NO. R-73-03-24

RESOLUTION NO. R-15-73

A RESOLUTION approving the Urban Renewal Plan and the feasibility of relocation for Neighborhood Development Program Project Ind. A-14.

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS, it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective urban renewal area comprising the Neighborhood Development Program be approved by the governing body of the locality in which the areas are situated and that such approval include findings by the governing body that (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the urban renewal areas by private enterprises; (3) the Urban Renewal Plan conforms to the general plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the sites covered by the Plan; and

WHEREAS, it is desirable and in the public interest that the City of Fort Wayne, Department of Redevelopment (herein called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as "Neighborhood Development Program Project Ind. A-14" and encompassing the area or areas bounded by as follows:

East Central Renewal Area (NDP Area No. 1)

Beginning at a point formed by the intersection of the West right-of-way line of Lafayette Street and the north right-of-way line of Main Street; thence east along the north right-of-way line of Main Street to the Norfolk and Western Railroad track; thence easterly along said track to the east right-of-way line of Coombs Street; thence south along said right-of-way line to the north right-of-way line of Wayne Street; thence east along said right-of-way line to the east right-of-way line of University Street, if extended; thence south along said right-of-way line to the northerly right-of-way line of Maymee Avenue; thence easterly along said right-of-way line to the east right-of-way line of Ohio Street; thence south along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to a point 230 feet more or less west of the west right-of-way line of Chute Street; thence south along a line parallel to Chute Street to the south right-of-way line of Hugh Street; thence west along said right-of-way line to the west right-of-way line of Gay Street; thence north along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to the west right-of-way line to the north right-of-way line of Main Street, which is the point of beginning.

West Central Renewal Area (NDP Area No. 2)

Beginning at a point formed by the intersection of the north right-of-way line of Berry Street and the east right-of-way line of Fulton Street; thence south along the east right-of-way line of Fulton Street to the north right-of-way line of Jefferson Street; thence east along said right-of-way line to the east right-of-way line of Webster Street; thence south along said right-of-way line to the south right-of-way line of Baker Street; thence west along said right-of-way line for a distance of 20 feet more or less to a point; thence south along a line parallel to the right-of-way line of Webster Street, if extended, to the Penn Central Railroad track; thence west along said track to the centerline of Swinney Park Place; thence north along said centerline to the northerly right-of-way line of Jefferson Street; thence northeasterly along said right-of-way line to the west right-of-way line of Garden Street; thence north for a distance of 75 feet more

or less to a point; thence west along a line perpendicular to Garden Street for a distance of 220 feet more or less to a point; thence north along a line to a point on the south right-of-way line of Washington Street, said point being 165 feet more or less west of the west right-of-way line of Garden Street; thence north along a line to the center of the St. Mary's River, thence northeasterly along said center to the northerly right-of-way line of Van Buren Street; thence south along said right-of-way line to the north right-of-way line of Berry Street; thence east along said right-of-way line to the east right-of-way line of Fulton Street, which is the point of beginning in the City of Fort Wayne, County of Allen, State of Indiana (herein called the "Locality;") and,

WHEREAS, the Local Public Agency has applied for financial assistance under such Act and proposes to enter into a contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program; and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures; land use; environmental influences, and social, cultural, and economic conditions of the urban renewal area or areas comprising the Program and has determined that the areas are blighted, deteriorated and deteriorating and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the Locality at large, because of blight and deterioration to such an extent within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and supplemented) and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the Fort Wayne Redevelopment Commission of the Locality (herein called the "Governing Body") for review and approval an Urban Renewal Plan for the Urban Renewal Plan for the urban renewal areas dated March 30, 1973 and consisting of _____ pages and _____ exhibits supported by the following supplementary material, data, and recommendations not a part of the Urban Renewal Plan:

WHEREAS, the Urban Renewal Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Urban Renewal Plan which is attached thereto; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the City Plan Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Urban Renewal Plan for the urban renewal areas comprising the Program and has certified that the Urban Renewal Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Program in accordance with the Urban Renewal Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the areas comprising the program and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Urban Renewal Plan for the Program, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That it is hereby found and determined that the urban renewal areas comprising the Program are blighted and deteriorated areas and qualify as eligible areas under Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).

2. That the Urban Renewal Plan for the Program, having been duly reviewed and considered, is hereby approved, and the Executive Director be and is hereby directed to file said copy of the Urban Renewal Plan with the minutes of this meeting.

3. That it is hereby found and determined that where clearance is proposed that the objectives of the Urban Renewal Plan cannot be achieved through rehabilitation of the portions of the urban renewal areas comprising the Program.

4. That it is hereby found and determined that the Urban Renewal Plan for the Program conforms to the general plan of the Locality.

5. That it is hereby found and determined that the financial aid to be provided pursuant to the contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan for the areas comprising the Program.

6. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal areas comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the areas by private enterprise.

7. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal areas gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plan.

8. That it is hereby found and determined that the Program for the proper relocation of individuals

and families displaced in carrying out the Urban Renewal Plan is decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such dwelling or dwelling units available or to be made available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the areas comprising the Program, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

9. That, in order to implement the facilities the effectuation of the Urban R-newal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan.

10. That financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the areas comprising the Program to be renewed in accordance with the Urban Renewal Plan for the Program, and accordingly, the proposed program and the annual incuement are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: One
Moses

DATE: March 27, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana Resolution No. R-15-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. R-73-03-21

RESOLUTION NO. R-16-73

RESOLUTION authorizing the temporary advancement of funds from the Park Trust Fund, Park Cumulative Fund, Redevelopment General Fund, Redevelopment District Capital Fund, Sewer Relief Fund, St. Mary's River Impounding Fund, Local Road & Street Fund, and Redevelopment R-51 Fund to the City ~~City~~ General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund, for the period ending June 30, 1973.

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of Civil City General Fund, Park General Fund, Pulbic Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of the Park Trust Fund, Park Cumulative Fund, Redevelopment General Fund, Redevelopment District Capital Fund, Redevelopment R-51 Fund, Sewer Relief Fund, St. Mary's River Impounding Fund and Local Road & Street Fund which can be temporarily advanced or transferred to said Civil City General Fund, Park General Fund, Public Lighting Fund, Cumulative Capital Fund, Fire Pension Fund, Police Pension Fund;

NOW THEREFORE, BE IT RESOLVED, that the Controller of the City of Fort Wayne be and he is hereby authorized and directed to transfer the sum of \$2,200,000 from the following funds:

\$240,000 from Redevelopment R-51 Fund
 \$ 80,000 from Park Trust Fund
 \$ 80,000 from Redevelopment General Fund
 \$150,000 from Park Cumulative Fund
 \$400,000 from Redevelopment District Capital Fund
 \$500,000 from Sewer Relief Fund
 \$250,000 from St. Mary's River Impounding Fund
 \$500,000 from Local Roads & Street Fund

to the following accounts as follows:

\$1,500,000 to Civil City General Fund
 \$ 300,000 to Park General Fund
 \$ 100,000 to Public Lighting Fund
 \$ 100,000 to Cumulative Capital Fund
 \$ 100,000 to Fire Pension Fund
 \$ 100,000 to Police Pension Fund

which said sum of \$2,200,000 shall be returned and repaid to the respective funds on or before June 30, 1973.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
 Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico, Burns
 Nays: None

Date: 3-27-73

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-16-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-73-02-06

SPECIAL ORDINANCE NO. S- 29-73

AN ORDINANCE approving vacation of an alley between Oakland Street and Lot 75 Third Papes Addition.

WHEREAS, Wermuth Enterprises, Inc. and Donald High have petitioned the City Plan Commission and the Common Council to approve the vacation of the following described alley street located within the City of Fort Wayne, Indiana, to-wit:

The Allen running East and West from Oakland Street to Lot 75 Third Papes Addition in the City Plat;

WHEREAS, the Plan Commission gave due notice of a public hearing on said petition and held said public hearing on October 30, 1972, at 7:30 o'clock P.M.; and,

WHEREAS, the Plan Commission following said public hearing approved said vacation on October 30, 1972;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the vacation of said public alley hereinabove described conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana;

2. That the vacation of said public alley hereinabove described be and the same is hereby approved and,

3. That this Ordinance be forwarded to the Board of Public Works of the City of Fort Wayne, Indiana, for the action it deems advisable.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 3-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-29-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-03-10

ZONING MAP ORDINANCE NO. Z-WITHDRAWN

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. E-11 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

BILL NO. R-73-03-28

RESOLUTION NO. R-17-73

A RESOLUTION OPPOSING ANY WIDENING OF RUDISILL BOULEVARD.

WHEREAS, a proposal has been made to widen West Rudisill Boulevard from Broadway to South Calhoun Street in the City of Fort Wayne, Indiana by approximately thirteen (13) feet on either side of the existing roadway and to include a sixteen (16) foot wide park strip in the center of said proposed widened street; and

WHEREAS, Baer Field Throughway has reduced the volume of traffic on said West Rudisill Boulevard: and

WHEREAS, there are other widening and improvements of arterial streets of compelling importance to move traffic through the City of Fort Wayne, Indiana demanding action for traffic congestion release; and

WHEREAS, the proposed widening of West Rudisill Boulevard would serve no useful purpose commensurate ~~with~~ with the destruction of the beauty of the existing street and would only depreciate property values by placing traffic closer to the homes on each side of said street;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That, it does hereby go on record as opposing the widening of Rudisill Boulevard from Broadway to South Calhoun Street in the City of Fort Wayne, Indiana.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Nuckols

Date: 3-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-17-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-12

SPECIAL ORDINANCE NO. S-30-73

AN ORDINANCE approving contract with LIGHTING REPLACEMENT for Lexalite Globes to be used for replacements.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 20, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and LIGHTING REPLACEMENT, for:

120 Model 900 WB-816 Lexalite Globes	
with reflectors built in top.	\$2,016.00

all for a total cost of \$2,016.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9516, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-30-73 on the 27th day of March, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of March, 1973, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-01-03

SPECIAL ORDINANCE NO. S-31-73

AN ORDINANCE approving a certain bid document with LANDSCAPE FORMS, INC. for planters, benches and waste receptacles.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 478 dated November 17, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and LANDSCAPE FORMS, INC. for

58 Planters (LFS-4830)	\$15,080.00
20 Benches (LFRB-2616)	3,800.00
10 Waste Receptacles (LFLS-2430)	1,150.00
	<u>\$20,030.00</u>
Less 10%	<u>2,003.00</u>
Total	\$18,027.00

as more specifically set forth in said in said bid document Reference No. 478 and Purchase Order No. P.O. 3-11884, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
City Clerk

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Kraus, Nuckols, Moses, V. Schmidt, Talarico
Nays: Three
Burns, D. Schmidt, Stier

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-31-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M.,
E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-15

SPECIAL ORDINANCE NO. S-32-73

AN ORDINANCE approving a contract with MINNESOTA
MINING & MFG. CO. for striping powder to be used for
the 1973 City Street Painting Program.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 26, 1973, between the City of Fort Wayne, by
and through its Mayor and the Traffic Engineering Department, and MINNESOTA MINING & MFG.CO., for:

4,750 pounds Reflective Pavement
Striping Powder - \$1.04 per pound \$4,940.00

all for a total cost of \$4,940.00, all as more particularly set forth on Purchase Order No. as re-
quired, which is by reference incorporated herein and made a part hereof, is hereby in all things
ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and
approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed
on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance
No. S-32-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973,
at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-16

SPECIAL ORDINANCE NO. S-33-73

AN ORDINANCE approving a contract with HALL SIGNS,
INC. for Aluminum Traffic Sign Blanks for the fab-
rication of Uniform Traffic Control Signs and Guides.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 26, 1973, between the City of Fort Wayne, by
and through its Mayor and the Traffic Engineering Department, and HALL SIGNS, INC., for

3,260 Aluminum Traffic Sign Blanks

Board of Public Works \$1,064.75
Board of Public Safety \$4,690.80

all for a total cost of \$5,755.55, all as more particularly set forth on Purchase Order No. as required,

which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-33-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-17

SPECIAL ORDINANCE NO. S-34-73

AN ORDINANCE amending Special Ordinance
S-61-72, Section 5, Items 1 and 2

WHEREAS, a computation error in Special Ordinance S-61-72, Section 5, Items 1 and 2 was made circumventing the intent of the educational incentive bonus both by inadvertently limiting the total bonus to be paid to a graduate of an accredited four year college or university and by unduly raising the financial value of completed quarter hours without justification; and

WHEREAS, an amendment can re-establish the full education bonus desired for all sworn officers as described in Section 5, and can re-establish the usual ration of 1:2/3 for semester hours to quarter hours to equalize the benefits of college credit as herein provided;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Item 1 of Section 5 of Special Ordinance S-61-72 is hereby changed to read, "From 1 to 120 semester hours, or 1 to 180 quarter hours, the officer shall receive a bonus of \$10.00 per year for every semester hour completed or \$6.66 per year for each quarter hour completed."

SECTION 2. That Item 2 of Section 5 of Special Ordinance S-61-72 is hereby changed to read, "In excess of 120 semester hours or 180 quarter hours, the officer shall receive a bonus of \$5.00 per year for every semester hour completed or \$3.34 per year for each quarter hour completed."

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-34-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-18

SPECIAL ORDINANCE NO. S-35-73

AN ORDINANCE approving a contract with HALL SIGNS, INC. for sign posts of various weight and length to be used for the installation of Uniform Traffic Control signs and guides.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 26, 1973, between the City of Fort Wayne by and through its Mayor and the Traffic Engineering Department, and HALL SIGNS, INC., for:

2,700 U Channel Sign Posts \$11,403.00

all as more particularly set forth on Purchase Order No. as required, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-35-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3.30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-19

SPECIAL ORDINANCE NO. S-36-73

AN ORDINANCE approving a contract with MINNESOTA MINING & MFG. CO. for reflective sheeting and miscellaneous sign faces for the fabrication of Traffic Control Signs and Guides for 1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 26, 1973, between the City of Fort Wayne, by and through its Mayor and the Traffic Engineering Department and MINNESOTA MINING & MFG. CO., for:

Reflective sheeting and miscellaneous sign
faces

all for a total cost of approximately \$10,000.00 or less, all as more particularly set forth on Purchase Order No. as required, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-36-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-20

SPECIAL ORDINANCE NO. S-37-73

AN ORDINANCE approving contract with
FLEX-O-LITE DIV., GSI, INC. for 38,000
lbs. of glass sphere road beads to be
used for the 1973 City street painting
program.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 26, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and FLEX-O-LITE DIV., GSI, INC. for:

Reflective Glass Spheres (Road Beads),
per specifications enclosed.

all for a total cost of \$4,400.78, all as more particularly set forth on Purchase Order No., as required, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-37-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-31

SPECIAL ORDINANCE NO. S-38-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, for two (2) 1973 two door sedans, Police Package.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 497 dated January 11, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and ALLEN COUNTY MOTORS, for

- 2 1973 Two Door Sedans, Police
Package as per specifications
attached

Total-2 Units	\$8,068.92
Less Trade	1,230.00
Less Discount	<u>1,318.92</u>
Net Total	\$5,520.00

as more specifically set forth in said bid document Reference No. 497 and Purchase Order No. P.O. 3-12738, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-38-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-32

SPECIAL ORDINANCE NO. S-39-73

AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT CO. for two (2) new 1972 Toro 60" Rotary Mowers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 491 dated December 5, 1972 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and HEINE TURF EQUIPMENT CO., for

2 New 1972 Toro 60" Rotary Mowers \$2910.00

as more specifically set forth in said bid document Reference No. 491 and Purchase Order No. P.O. 3-11625, which are on file in the office of the Department of PURchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded, by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-39-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-04-03

RESOLUTION NO. R-18-73

A RESOLUTION transferring certain funds from Account No. 80-111 Services Personal, in the 1973 Budget of the City Plan Commission.

WHEREAS, there are insufficient funds in Account No. 80-243 Photography & Blueprinting, to cover repairs of the City Plan Vehicle which was damaged in an accident.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

From Account No. 80-111 Services Personal	\$1,500.00
To Account No. 80-243 Photography & Blueprinting	\$1,000.00
AND	
To Account No. 80-252 Repair of Equipment	400.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-18-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-11-09

ZONING MAP ORDINANCE NO. S-LOST X

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-2 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC-14 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot 49, Elzey's Fourth to Waynedale
Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 4-10-73

Charles W. Westerman
City Clerk

BILL NO. Z-72-05-19

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA-15

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA15 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots #1, 2, 3, 4. & 5, Block #2, Housers
Sub. Sec. 23 and Lots #26, 27, 28, 29, & 30,
Block #2, Housers Sub. Sec. 23 as recorded in
Plat Book 9, pages 66-67.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt

Nays: Eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico

Date: 4-10-73

Charles W. Westerman
City Clerk

BILL NO. Z-72-05-22

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. BB15

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated B-3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB15 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots #28 & 29 of Norwood Augmented Addition,
bounded by Lee Street on the north and Conrad
Street on the South.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt

Nays: Eight
Burns, Hinga, Kraus, Nuckols, Moses, V. Schmidt, Stier, Talarico

Date: 4-10-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-01-14

ZONING MAP ORDINANCE NO. - WITHDRAWN

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. C-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly to-wit:

Lots 19, 20, 21, 22, 29, 30 & 31 Gardendale
Addition, located south of Seddlemeyer Avenue,
east of Decatur Road, and north of Woodside Avenue

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

BILL NO. Z-73-03-30

ZONING MAP ORDINANCE NO. Z-04-73

AN ORDINANCE repealing Ordinance NO. Z-73-02-08 with regard to certain filing fees and amending Section 24, Article V of Chapter 36 of the Municipal Code of the City of Fort Wayne pertaining to certain filing fees.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 24 A and B of the Fort Wayne Municipal code Chapter 36 is hereby repealed and in lieu thereof a new Section 24 A and B of said Code is hereby enacted as follows:

Section 24 - Filing Fees

- A. For each application for an Improvement Location Permit, the sum of five dollars (\$5.00) to be paid to and collected by the Building Commissioner.
- B. For each application for a Certificate of Occupancy, the sum of five dollars (\$5.00) to be paid and collected by the Building Commissioner.

SECTION 2. In all other respects except as hereinabove amended said Chapter 36 of the Municipal Code of the City of Fort Wayne remains in full force and effect.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and due publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED BY the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Ordinance No. Z-04-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-03-22

GENERAL ORDINANCE NO. ³⁴G-06-73

AN ORDINANCE amending certain Schedules of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Schedules and Sections of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same are hereby amended as follows:

Schedule 1A, Section 21 (b) as referred to "Authorization of Traffic Signals" by deleting therefrom the following:

TRAFFIC SIGNAL (DELETION PENDING COUNCIL APPROVAL)

Columbia St. (The Landing) at Harrison St.

Schedule 1A, Section 21 (b) as referred to "Authorization of Traffic Signals" by adding thereto the following:

TRAFFIC SIGNAL (INSTALLATION PENDING COUNCIL APPROVAL)

Reed Road -- at -- Lake Avenue

Schedule 4, Section 171 "Through Streets" by deleting therefrom the following:

THROUGH STREET

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Wells St.	Superior	N/City limits except at Superior St. and State Blvd.

Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets" by adding thereto the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Main St.	both	Calhoun St.	Clay St.
Reed St.	both	Greene St.	Creighton Ave.
Greene St.	north	Smith St.	Reed St.
Greene St.	south	Bowser Ave.	Reed St.
Eden St.	both	Greene St.	N/terminus
Randallia Dr.	east	100 S/Delaware	Lake Ave.
Wayne St.	south	Calhoun St.	Clinton St.
St. Marys Ave.	east	Margaret Ave.	Florence Ave.
Florence Ave.	south	Oakland St.	St. Marys Ave.
Oakland St.	west	Margaret Ave.	Florence Ave.
Margaret Ave.	north	Oakland St.	St. Marys Ave.
Creighton Ave.	north	Euclid Ave.	Central Dr.
Kinnaird Ave.	south	Fairfield Ave.	256'W/thereof

Schedule 7, Section 174 "Parking Prohibited At All Times on Certain Streets" by deleting therefrom the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Pearl St.	south	50'E/Fairfield	80'E/thereof

Schedule 4, Section 171 "Through Streets" by adding thereto the following:

THROUGH STREET

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Raymond Ave.	Fenker Ave.	South Coliseum Blvd. except at Fenker Ave. and Coliseum Blvd.
St. Marys Ave.	Goshen Ave.	southern most terminus except at Spring St., State Blvd., and Goshen Ave.
Nuttman Ave.	Brooklyn Ave.	west City limits except Brooklyn Ave.
Wayne Trace	New Haven Ave.	Pontiac St., except at New Haven Ave., Lees St. and Pontiac St.
Wells St.	Superior St.	Northrop St., except at Superior St., Fourth St., Spring St., Putnam St., State Blvd. and Northrop St.

Schedule 5, Section 172 "Intersections Where Stop Required", by adding thereto the following:

STOP INTERSECTION

Green St. -- Stop -- at Smith St.
Buchanan St. -- Stop -- at Smith St.
Oliver St. -- Stop -- At Greene St.
Bowser Ave. -- Stop -- At Greene St.
Hale Ave. -- Stop -- At Riedmiller Ave.
Elzey St. -- Stop -- At McArthur Dr.
Harrison St. -- Stop -- At Lexington Ave.

Schedule 10, Section 177 (a) "Parking Time Limited on Certain Streets", 1-Hour Parking 8AM to 6PM by adding thereto the following;

ONE HOUR PARKING 8:00AM TO 6:00PM

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
City County Parking Area	From a point 305' north of Main St.		405'N/thereof thence east from Calhoun St. to Clinton St.
Thompson Ave.	east	30'N/Taylor St.	Alley N/thereof

Schedule 11, Section 177 (b) "Parking Time Limited on Certain Streets", 90-Minute Parking 8AM to 6PM by deleting therefrom the following:

90 MINUTE PARKING 8:00AM TO 6:00PM

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
California Ave.	both	Forest	State Blvd.
Pemberton Dr.	both	Nevada Ave.	Delaware Ave.

Schedule 12, Section 177 (c) "Parking Time Limited on Certain Streets" 2 Hour Parking 8AM to 6PM by adding thereto the following:

TWO HOUR PARKING 8:00AM to 6:00PM

STREET

City County Parking Area	From a point 405' north of Main St.	435"N/thereof, thence east from Calhoun St. To Clinton St.
-----------------------------	--	---

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 10, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-06-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-29

SPECIAL ORDINANCE NO. S-40-73

AN ORDINANCE approving a contract with BERCOT, INC. for construction of a water line to serve Hickory Grove Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract approved March 2, 1973, between the City of Fort Wayne by and through its Mayor and the Board of Public Works, and BERCOT, INC. for construction of a water line to serve Hickory Grove Addition, to be constructed and installed as follows:

A 6 inch water main along the north side of Elmdale Dr., from the west property line of Hessen Cassel Road to the west property line of lot #37m also on Waycross Dr., from the south property line of lot #35 to the existing water main on Sundale Drive, all in Hickory Addition, Sections B&C, and said water mains with all it's appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City.

for a total cost of \$21,204.50 on which the City will be paying \$7,452.04, with the balance to be paid by the property owners, all as more particularly set forth in said contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 10, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-40-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-04-16

Councilman Stier, moved to suspend the rules on passage of BILL NO. S-73-04-16 at this meeting of April 10, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and S-41-73 Special Ordinance was accordingly placed on its passage.

DATE: 4-10-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-41-73

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

DATE: 4-10-73

Charles W. Westerman
City Clerk

BILL NO. S-73-04-16

SPECIAL ORDINANCE NO. S-41-73

AN ORDINANCE approving Agreement with JEWEL BUILDERS, INC.
for construction of the Woodview Manor Sanitary Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement dated April 10, 1973, between JEWEL BUILDERS, INC. as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in the Woodview Manor area, as follows:

MAIN SEWER

Commencing at an existing 10-inch sanitary line in the East right of way of Hobson Road and 30 \pm feet North of the centerline of proposed Timberhill Drive in Woodview Manor; thence, Eastwardly in and along a proposed 20 foot utility easement 510 \pm feet to proposed Manhole #3; thence, in a Northeasterly direction a distance of 235 \pm feet to Manhole #4 and the intersection of Mayberry Street; thence, Easterly in and along a 30 foot proposed utility easement a distance of 255 \pm feet to proposed Manhole #5; thence, Northeasterly a distance of 148 \pm feet to Manhole #6; thence, Northerly in and along a proposed 20 foot easement West of the right of way line of Roseview Road a distance of 522 \pm feet to Manhole #8; thence, Northeasterly in and along said proposed easement a distance of 120 \pm feet terminating at proposed Manhole #9.

Lateral #1

Commencing at proposed Manhole #2 on the above mentioned main sanitary sewer; thence, Northerly in and along a proposed 14 foot utility easement a distance of 300 \pm feet to Manhole #1-1; thence, Easterly in and along a 14 foot proposed easement a distance of 147 \pm feet terminating at a proposed cleanout.

Lateral #2

Commencing at the proposed Manhole #5 on the above mentioned main sanitary sewer; thence, Southeasterly in and along a proposed 14 foot utility easement a distance of 223 \pm feet terminating at proposed Manhole #2-1.

Said sewers to be 8 inches in diameter.

the total cost of said sewer to be \$25,600.00 of which the Developer agrees to pay the entire cost and expense of construction of said sewer, in cash, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Sewer Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 10, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-41-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-03-27

GENERAL ORDINANCE NO. G-07-73

AN ORDINANCE IMPLEMENTING POWERS CONFERRED ON THE
COMMON COUNCIL OF THE CITY OF FORT WAYNE WITH RESPECT
TO CERTAIN POWERS AND DUTIES OF THE BOARD OF PUBLIC WORKS.

WHEREAS, IC 18-1-6-15 (Burns Indiana Statutes 1972 Cum. Poc. Suppl.) confers on the Board of Public Works the power to condemn, rent or purchase any real estate or personal property needed by the City of Fort Wayne for any public use, except when a different provision for purchase is made by the General Assembly of the State of Indiana; and

WHEREAS, said IC 18-1-6-15 gives the Common Council of said City the power to:

- (a) Require that all such condemnations, rentals or purchases be included in the long range capital expenditure program to be proposed by boards of public works, and to require that such program be updated at least annually, or otherwise at the discretion of the common council;
- (b) Require the board of public works to set forth at least annually estimates of needed expenditures for the above purposes for each successive fiscal year;
- (c) Approve, amend or disapprove both the contents of the long range capital expenditure programs and the amounts of proposed annual expenditures, in whole or in part, prior to and/or during the time of adoption of municipal budgets, at the council's discretion;
- (d) Require the estimates of capital program expenditures for each fiscal year to be itemized in such manner for approval, amendment or rejection as the council may determine; and

WHEREAS, IC 18-1-6-15 requires that the foregoing powers conferred on the Common Council shall be implemented only by adoption of an appropriate ordinance or ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. All condemnations, rentals or purchases of any real estate or personal property by the City of Fort Wayne, except when a different provision for purchase is made by the General Assembly of Indiana, shall be included in the long range capital expenditure program to be proposed by the Board of Public Works and submitted to the Common Council of the City of Fort Wayne on or before _____, 1973 and that at least annually thereafter, on or before the _____ day of _____, of each year hereafter such long range capital expenditure program shall be up dated.

SECTION 2. The Board of Public Works shall on or before _____, 1973 and at least annually thereafter, on or before the _____ day of _____ of each year hereafter provide the Common Council of the City of Fort Wayne with itemized estimates of capital program expenditures for each succeeding fiscal year in such detail as said Common Council with the assistance of the City Controller of Fort Wayne may determine so that said Common Council may pass upon and approve, amend or reject same in whole or in part prior to and/or during the time of adoption of the annual Municipal budget of the City of Fort Wayne.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or any other part, section, clause, provision or portion of this Ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, [REDACTED], D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None
ABSTAINED: One
Nuckols

DATE: April 10, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-03-11

RESOLUTION NO. R-19-73

A RESOLUTION approving the hiring of Westenhoff & Novick, Inc. to study alternatives for Wells Street Corridor Improvement.

WHEREAS, the City of Fort Wayne and the County of Allen have entered into an agreement dated July 25, 1972 for the construction of the Ewing Street Bridge; and

WHEREAS, said agreement places the responsibility for the Wells Street Corridor Improvements upon the City of Fort Wayne; and

WHEREAS, the County cannot proceed with the construction of the bridge until a decision is made as to plans for the Wells Street Corridor; and

WHEREAS, it is imperative the construction of the bridge begin as quickly as possible; and

WHEREAS, Westenhoff & Novick, Inc. has submitted a proposal for a feasibility study of the Wells Street Corridor Improvement.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. The proposal of Westenhoff & Novick for a feasibility study of the Wells Street Corridor, which proposal is attached hereto and identified as "Exhibit A" be, and it hereby is, accepted;

2. The Board of Public Works of the City of Fort Wayne be, and it hereby is authorized to spend a sum not to exceed \$17,400.00 as a maximum fee for Westenhoff & Novick under said proposal.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-19-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-25

SPECIAL ORDINANCE NO. S-42-73

AN ORDINANCE approving an agreement with
HIPSKIND ASPHALT CORP. for modification
of water facilities on U.S. Highway #30
Bypass.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement dated March 19, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and HIPSKIND ASPHALT CORPORATION, for:

Modification to water facilities in U.S. Highway #30 Bypass, said construction being in connection with the proposed widening of U.S. #30 by State Highway, in the amount of \$7,400.00,

all as more particularly set forth in said agreement, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-42-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-03-26

SPECIAL ORDINANCE NO. S-43-73

AN ORDINANCE approving agreement with NOBIS-WESTROPP
for Phase I of water expansion project in area of
Beacon-Vance and Hobson Roads.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement, dated March 19, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NOBIS-WESTROPP CONSTRUCTION CO., INC., for:

Construction of Phase I of water expansion project in the area of Beacon-Vance and Hobson Roads, said project being part of Capital Improvement Program for water utility, in the amount of \$54,860.10,

all as more particularly set forth in said agreement, which is on file in the office of the Board of Public Works and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-43-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-04-11

RESOLUTION NO. R-20-73

A RESOLUTION IN SUPPORT OF THE OLDER AMERICANS ACT OF 1973.

WHEREAS, the Older Americans Act programs are continuing only because of a continuing resolution passed by Congress in February, 1973; and

WHEREAS, the need for comprehensive revision of the Older Americans Act of 1965, revised in 1967, and again in 1969 is obvious to all citizens concerned with the welfare of senior citizens; and

WHEREAS, the continuation of OAA programs, such as Homebound Meals, Foster Grandparents, RSVP, Geriatric Technicians Training, Touch Somebody's Hand, and the Allen County Council on Aging have proven to be of great assistance to the elderly of Allen County.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. That it does hereby endorse and support the Comprehensive Older Americans Act of 1973 (S.B. 50 and/or H.R. 71).

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: One
D. Schmidt

DATE: 4-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-20-73 on the 10th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-01

SPECIAL ORDINANCE NO. S-44-73

AN ORDINANCE approving a certain bid document with HEINE TURF EQUIPMENT for two (2) riding rotary mowers and one (1) Unit Reel-type Riding Greensmower.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A Certain bid document Ref. No. 513 dated March 6, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

(2) New 1973 Riding Rotary Mowers	\$2,650.00
(1) New 1973 Unit Reel Type, Riding Greensmower	<u>2,750.00</u>
	\$5,400.00

as more specifically set forth in said bid document Ref. No. 513 and Purchase Order No. 3-14525 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-44-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-02

SPECIAL ORDINANCE NO. S-45-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY TRACTOR SALES for one (1) 80" rotary mower and one (1) 15' rotary type mower.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 513 dated March 6, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

ALLEN COUNTY TRACTOR SALES

(1) New 1973 80" Rotary Type Mower	\$ 805.79
------------------------------------	-----------

AND

(1) New 1973 15' Rotary Type Mower

\$ 805.79 (cont. from other page)
\$2,399.34
\$3,205.13

as more specifically set forth in said bid document Ref. No. 513 and Purchase Order No. 3-14526 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-45-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-13

SPECIAL ORDINANCE NO. S-46-73

SPECIAL ORDINANCE approving the creation of the appointive positions of Emergency Medical Technician and Emergency Medical Administrator in the Division of Emergency Medical Services and amending Special Ordinance No. S-61-72 by fixing the salaries for such positions for the year 1973.

WHEREAS, the City of Fort Wayne is desirous of improving emergency medical services to its citizens and of permitting police officers and fire fighters to be relieved of medical services to fulfill duties for which originally trained.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created the appointive positions of:

Emergency Medical Technician

and

Emergency Medical Administration

in the Division of Emergency Medical Services.

SECTION 2. Special Ordinance S-61-72 is hereby amended by providing that the compensation to be paid such Emergency Medical Technician shall be \$7,500 and that the compensation to be paid such Emergency Medical Administrator shall be \$13,000.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
Talarico

Date: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-46-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-04-29

Councilman Hinga, moved to suspend the rules on passage of Bill No. S-73-04-29, at this meeting of April 24, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above Bill and S-47-73 Special Ordinance was accordingly placed on its passage.

DATE: 4-24-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-47-73.

ATTEST: (SEAL)

DATE: 4-25-73

Charles W. Westerman
City Clerk

BILL NO. S-73-04-29

SPECIAL ORDINANCE NO. S-47-73

AN ORDINANCE approving a contract with
MICHIE CITY PUBLICATIONS COMPANY for
Codification of City Ordinances.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated April _____, 1973 between the City of Fort Wayne, by and through its MAYOR AND City Clerk and Michie City Publications Company for codification of Ordinances of the City of Fort Wayne beginning where Municipal Code of 1959 and Supplement Number 3 left off and continuing with Ordinances, new and amendatory, passed by the City of Fort Wayne as of the time of the completion of the editorial manuscript by Michie City Publications Company for a total cost of \$14,250.00, all more particularly set forth in contract dated April _____, 1973, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the ~~third~~ time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-47-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-04-15

GENERAL ORDINANCE NO. G-08-73

AN ORDINANCE creating a division of emergency medical services within the Department of Public Safety of the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. That it is the purpose of this ordinance to upgrade the training, life-support equipment, communications systems, and coordination of the providers of ambulance service in the City of Fort Wayne, Indiana.

SECTION 2. That it is the purpose of this ordinance also to remove the burden of providing this ambulance service in the City from the Fort Wayne Police Department and Fort Wayne Fire Department in order to permit greater efficiency and greater utilization of their resources.

SECTION 3. That there is hereby created a division of emergency medical services within the Department of Public Safety, to be commonly known as the Division of Emergency Medical Services.

SECTION 4. That this Division of Emergency Medical Services shall be the main provider of ambulance service for the City of Fort Wayne.

SECTION 5. That this Division of Emergency Medical Services shall provide ambulance service, as it is commonly known, and concurrent medical services to the best of its abilities, where appropriate, and shall provide same without charge to the residents and citizens of the City of Fort Wayne, Indiana.

SECTION 6. That this Division of Emergency Medical Services shall at all times and in all things be under the supervision, care, management, and exclusive control of the Board of Commissioners, Department of Public Safety, City of Fort Wayne, Indiana, and shall be subject to whatever rules, regulations, guidelines, and executive administration such Board of Commissioners may from time to time authorize and promulgate.

SECTION 7. That this ordinance shall in no way relieve from providing any and all ambulance and/or ambulance related services other departments under the Department of Public Safety whenever conditions are such that a need arises.

SECTION 8. That the employees of this Division of Emergency Medical Services shall be so employed by the Department of Public Safety, in accordance with standards created by its Board of Commissioners with advice from its medical advisor and the Fort Wayne Medical Society, and, once employed, such employees shall not be removed or disciplined except for cause, including, but not limited to, neglect of duty, violations of rules, disobedience of orders, incapacity, absence without leave, conduct injurious to the public peace or welfare, or other breaches of discipline.

SECTION 9. That the duties of said employees as mentioned herein of this Division of Emergency Medical Services shall be defined by the Department of Public Safety.

SECTION 10. That this ordinance shall in no way, shape, or form increase the liability, including any direct liabilities or punitive liabilities, in its provision of ambulance and ambulance-related services, over or beyond what the City of Fort Wayne, in good faith, incurs by purporting to provide ambulance and ambulance-related services within Fort Wayne, be it at the competency level of this Division of Emergency Medical Services or at the competency level of the Fort Wayne Police or Fire Departments.

SECTION 11. That if one or more sections of this ordinance is or are found to be unconstitutional, that is, in contradiction with the Indiana or U.S. constitutions either, by a court of competent jurisdiction, such finding shall in no way affect the remaining sections of this ordinance.

SECTION 12. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
D. Schmidt

Date: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-08-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-02-03 (AMENDED)

GENERAL ORDINANCE NO. G-LOST

AN ORDINANCE amending the Fort Wayne
Building Code with respect to fees
or permits.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Division 100 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended and recodified and referred to as the Building Code is hereby amended by repealing Section 109 of Division 100 of the Building Code in its entirety, and there is hereby substituted the following, which is in lieu of said Section 109 of Division 100 of said Building Code which is hereinabove repealed.

Division 100 Administrative, Permits, Fees, Licenses & General Provisions:

109 FEES

109.1 Buildings

109.1.1 Fees for Permits - When the cost or value of any buildings, construction, repairs, remodeling, additions, alterations, installations, maintenance (including aluminum siding and roofing but not including painting) is less than \$200.00 no permit shall be required; provided however, that all construction is done in accordance with this building Code. Cost of permits are listed below and will be based on the cost or value of the building after deducting the value of the cost of the work to be done by sub-contractors under a separate permit.

BUILDING PERMIT FEES

\$200.00 to \$2,000.00-----\$10.00

for \$2001.00 or more and not exceeding \$250,000.00 the fee shall be \$10.00 with an additional fee of \$1.00 for each \$1,000.00 or fractional part thereof over \$2,000.00. For \$250,000.00 or more the fee shall be \$258.00 with an additional fee of \$0.75 per \$1,000.00 for fractional part thereof in excess of \$250,001.00.

109.1.2 Moving Building Fees - For moving buildings to another location and to occupy the necessary public ways, the additional fee for the permit shall be \$100.00.

109.2 Electrical

109.2.1 Fees for Permits - Before any permit is granted for the installation of electrical wiring, devices, appliances or equipment, the person making application for such permit shall pay to the City of Fort Wayne as follows:

A. 1 & 2 Family residences & accessories:

- | | |
|--|---------|
| (1) Minor remodeling fee: | \$ 5.00 |
| Includes service change to 100 amperes, additional circuits for appliances, air conditioning, lighting or general repairs. Plus one-room additions including one and two car garages | |
| (2) Major remodeling fee: | \$10.00 |
| Includes service change over 100 amperes complete rewiring of home, installation of electric heat or other general repairs. | |
| (3) Additions to existing houses: | |
| 1.5¢ per sq. ft. of floor area, or whichever is greater. | \$12.00 |
| (4) New houses: | |
| 1.5¢ per sq. ft. of floor area, or whichever is greater. | \$20.00 |

B. All construction other than 1 & 2 family residences and accessories:

- | | |
|--|--|
| (1) Additional circuits or extensions to existing systems for lighting, appliances, air conditioning, or general repairs. Minimum fee up to 5 circuits or extensions Additional fee of \$2.00 for each circuit or extension beyond 5 circuits or extensions. | \$10.00 |
| (2) Alterations, modifications or general repairs to services up to and including 400 amperes-fee | \$25.00 |
| Over 400 amperes - fee | \$50.00 |
| (3) Commercial parking lots, new and used car lots, recreational areas, or any miscellaneous open areas: Up to and including 100 ampere service | \$10.00 |
| Over 100 ampere service - fee | \$25.00 |
| (This includes wiring required for these occupancies) | |
| (4) Electric signs: | |
| Fee for each sign | \$ 5.00 |
| (5) All new construction or complete rewiring of existing buildings: | |
| a. Warehousing | .5¢ per sq. ft. of floor area or \$25.00 whichever is greater. |
| b. Retail stores | 1¢ per sq. ft. of floor area or \$25.00 whichever is greater. |
| Schools | |
| c. Manufacturing areas | 1.5 per sq. ft. of floor area or \$25.00 whichever is greater. |
| Rest homes | |
| Apartments | |
| Offices | |
| d. Banks | 2¢ per sq. ft. of floor area or \$25.00 whichever is greater. |
| Restaurants | |
| Motels or Hotel | |
| Hospitals | |

e.	Service Stations and/or Car washes, commercial garages	2.5 per sq. ft. of floor area or \$50.00 whichever is greater.
f.	(1) Extension to wiring less than one circuit	5.00
	(2) One Circuit	5.00
	(3) Two to ten circuits each	1.00
	(4) Over ten circuits each	.50
g.	<u>Wiring DEvices, Appliances and Equipment Not Covered by Above Schedule</u>	
	Each application	3.00

109.2.2 Electrical License Fees - Before a license is granted to any applicant and before any expiring licence is renewed, the applicant shall pay to the City a fee in such an amount as is herein specified for the class of license to be granted or renewed, as follows:

Class I. Electrical contractor's license

for full year	\$50.00
After July 1	25.00
Annual renewal fee	50.00

Class II. Electrical maintenance license

For full year	35.00
After July 1	17.50
Annual renewal fee	25.00

Class III-Journeyman's License

Annual renewal fee	5.00
--------------------	------

109.2.3 Fees for Examinations - The following examination fees shall be charged:

Supervisor for Class I License	10.00
Supervisor for Class II License	7.00

Journeyman	5.00
------------	------

Examination fees shall be paid at time of application for examination and are not refundable.

109.3 - Sanitary Plumbing

109.3.1 Fees for Permits - Before any permit is granted for installation of sanitary plumbing, the person making application for such permit shall pay to the City of Fort Wayne a minimum fee of \$10.00 to which shall be added fees as specified in this Section 109.3.1 to the extent that the aggregate total of said hereinbelow scheduled fees exceeds said \$10.00 minimum fee, it being the intention that the fees scheduled below in this Section 109.3.1 shall be applied against said \$10.00 minimum fee and any fees in excess of the aggregate total of \$10.00 shall be added to the total fees required to be paid under this Section 109.3.1;

(1) Trapped or vented fixtures	3.00 for each
(2) Water Heater-Installation or replacement of domestic	2.00 per heater
(3) Water service pipes	
(4) Miscellaneous installations or replacements, ea.	2.00
(5) Boiler Supply Piping-Steam or Hot water	6.00

Work not ready for inspection -- When the inspector, upon call, finds work not ready for inspection, he may make a charge of \$4.00 for each additional trip required.

109.3.2 Master Plumber Registration

Each Master Plumber so licensed under the law of the State of Indiana before being permitted to practice his trade in the City of Fort Wayne shall pay an annual registration fee of \$10.00 which shall cover registration for the portion of that calendar year immediately following said payment. Thereafter the annual registration fee of \$10.00 shall be paid prior to performance of any act in the trade of said Master Plumber and shall cover registration for the portion of that calendar year immediately following payment of said annual registration fee.

109.3.3 Commercial and Industrial (non-sanitary) Piping Systems

Fees for Permits based on value of Piping System:

- | | | |
|-----|---------------------------|---|
| (1) | \$.00 to \$2,000.00 | \$10.00 |
| (2) | Over \$2,000.00 | 10.00 |
| (3) | Plus an additional fee of | 2.00 per thousand
of cost or value
or fractional %
thereof in excess
of \$2,000 |

109.4 Heating, Ventilating and Air Conditioning.

109.4.1 Fees for Permits - The fees for permits shall be based on the licensee's selling price to the buyer in accordance with the following schedule:

- (1) Up to \$300.00
- (2) \$300.00 to \$500.00 - \$2.00 per \$100.00 or fractional part thereof;
- (3) \$500.00 to \$1000.00 - \$9.00 plus \$1.00 per \$100.00 or fractional part thereof in excess of \$500.00;
- (4) \$1000.00 to \$10,000.00 - \$14.00 plus \$.50 per \$100.00 or fractional part thereof in excess of \$1,000.00;
- (5) Over \$10,000.00 - \$59.00 plus \$.20 per \$100.00 or fractional part thereof in excess of \$10,000.00.

109.4.2 Fees for Heating Licenses - The schedule of licenses and fees shall be as follows:

The fee for a license covering any or all of the above classes of work shall be \$50.00 the first year, \$35.00 each succeeding year.

109.4.3 Registration Fees for Reciprocal Licenses - A registration fee of \$.50 on permits of \$5.00 or less, and a registration fee of \$1.00 on permits over \$5.00 shall be charged for work under a reciprocal license.

109.5 Demolition109.5.1 Fees for Permits

For one and two car private garage	5.00
For one and two unit houses	15.00
For apartment up to eight units	50.00
For Apartment over eight units	75.00
All other:	
Ground area up to 4,000 sq. ft.	25.00
Ground area 4,000 to 10,000sq. ft.	25.00
Ground area over 10,000 sq. ft.	75.00
For each additional floor over the 1st. floor	5.00

109.6 Signs (Painting, Erection & Maintenance)

- 109.6.1 (1) Sign Contractors license shall be \$40.00 for the year, \$25.00 each succeeding year.
- (2) Sign Painter license shall be \$30.00 for the first year, \$15.00 each succeeding year.
- (3) Mobile Sign License and Projection Sign License shall be \$25.00 for the first year, \$20.00 each succeeding year.

109.6.2 Fees for signs requiring a permit.

A. Illuminated or non-illuminated, roof signs, street banners, temporary signs, outdoor advertising signs, commercial signs, mobile signs and projection signs:

to 35 sq. ft.	7.50
35 to 60 sq. ft.	10.00

60 to 100 sq. ft.	12.50
100 to 300 sq. ft.	15.00
300 to 500 sq. ft.	17.50
500 sq. ft. and over	20.00

B. Electric Signs - All installations including single face, double face, fascia, projecting and post mount signs: to 25 sq. ft.	10.00
25 to 50 sq. ft.	15.00
50 to 75 sq. ft.	20.00
75 to 100 sq. ft.	25.00
100 to 125 sq. ft.	35.00
125 to 200 sq. ft.	60.00
200 to 300 sq. ft.	100.00
300 sq. ft. and over	150.00

C. Pennant Signs: \$5.00

109.6.3 Fees for Examinations - The following examination fees shall be charged:

Sign Contractor's License	10.00
Sign Painter's License	7.50

SECTION 2. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause, provision, or portion of this ordinance.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Hinga, Kraus, V. Schmidt, Stier
Nays: Burns, Nuckols, Moses, D. Schmidt, Talarico
Five

Date: 4-24-73

Charles W. Westerman
City Clerk

BILL NO. R-73-04-12

Resolution No. R-21-73

A RESOLUTION authorizing the Department of Community Development and Planning in the Office of the Mayor to apply for a Grant.

WHEREAS, the Department of Housing and Urban Development has available funds for grants to communities for the establishment of overall Program Designs to improve the decision making process of their respective governments with special attention being given to the coordination of planning between the different agencies of the City and between the City and other agencies with which it must work; and

WHEREAS, the maximum cost of establishing such an Overall Program Design would be \$50,000 of federal funds, to be paid by the Department of Housing and Urban Development, and not less than one-third additional matching funds provided by the City of Fort Wayne from monies already budgeted for such purpose.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Department of Community Development and Planning in the Office of the Mayor of the City of Fort Wayne is hereby authorized to apply for such a grant.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
D. Schmidt

Date: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-21-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-04-14

RESOLUTION NO. R-22-73

A RESOLUTION transferring certain funds from Police Services Personal to various accounts in the Police Budget.

WHEREAS, the newly created Division of Emergency Medical Services needs certain requested funds for a 50% federal reimbursement to purchase the following equipment and services: training, \$2,000; uniform allowance, \$5,200; communications equipment, \$32,984; life support equipment, \$10,000; and for ambulance vans (4), \$60,000; and

WHEREAS, there are sufficient funds in the unappropriated and unexpended balance of the 1973 Police Services Personal Budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following accounts:

Account No. 71-111 Police Service Personal, to the following accounts:

Account No. 71-726	Other Equipment	\$42,984
Account No. 71-230	Instruction	2,000
Account No. 71-54	Clothing Allowance	5,200
Account No. 71-722	Motor Equipment	60,000

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-22-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-04-21

RESOLUTION NO. R-23-73

A RESOLUTION transferring certain funds
in the 1973 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 73-3-332 Medical, Surgical & Dental, to pay outstanding medical bills and also allow a minimal balance in this account for the remainder of fiscal 1973; and

WHEREAS, there are sufficient funds in Account No. 73-1-115 Salaries, to cover such expenditures.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

\$2,500 from Account No. 73-1-115 Salaries; to Account
No. 73-3-332 Medical, Surgical & Dental, \$2,500.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-23-73 on the 24th day of April, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-04-22

RESOLUTION NO. R-24-73

A RESOLUTION transferring certain funds
in the 1973 Budget of the Board of Health.

WHEREAS, there was an inadequate appropriation by Council for the 1973 Budget of the Board

of Public Health; and

WHEREAS, there are sufficient funds in Account No. 78-2-215 Mileage to cover said inadequate appropriation;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

\$3,000 From Account No. 78-2-215

TO:

Account No. 78-3-37 Other Supplies \$3,000

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-24-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-04-23

RESOLUTION NO. R-25-73

RESOLUTION authorizing payment for repairs to entrance pillar, State and Sherbourne Place.

WHEREAS, Robert L. Arnold, in an accident damaged the Entrance Pillar, State & Sherbourne Place, date of accident was November 30, 1972; and

WHEREAS, settlement in the amount of \$790.00 was paid by American Underwriters Group to the Controllers Office, which money was received into the General Fund; and

WHEREAS, Morris Contractors has submitted an invoice in the amount of \$790.00 to cover said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the claim of Morris Contractors in the amount of \$790.00.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-25-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-09-24

ZONING ORDINANCE NO. Z-05-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F-1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Northwest Quarter Section 8, Township 30 North, Range 13 East, Allen County, Indiana, in particular described as follows, to-wit:

Commencing on the North line of the right-of-way of the Wabash Railroad at a point situated 272.5 feet East of the West line of said Quarter Section; thence North and parallel to said Quarter line, 514.5 feet to the centerline of Pennsylvania Street as recorded in the Plat of Harvester View Addition, in Plat Book 10, page 29, in the Office of the Recorder of said County; thence Southeasterly by a deflection right of 100 degrees 42 minutes, 229.0 feet; thence south and parallel to the West line of said Quarter Section, 471.8 feet, to the North right-of-way line of said Wabash Railroad; thence West on the said right-of-way line 225.0 feet to point of beginning, containing 2.55 acres of land.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Ordinance No. Z-05-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973 at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-04-06

GENERAL ORDINANCE NO. G-09-73

AN ORDINANCE amending a certain Section of Chapter 31 of the 1947 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726 adopted December 22, 1953, and as further amended by General Ordinance No. G-06-73 adopted March 13, 1973

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That General Ordinance No. G-06-73 is hereby amended by deleting therefrom Section 13 in its entirety and in lieu thereof the following shall be added:

SECTION 2. That Section 12, Section 177 (c) "Parking Time Limited on Certain Streets" 2-Hour Parking 8:00 A.M. to 6:00 P.M. of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726 adopted December 22, 1953, be and the same is hereby amended by deleting therefrom the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Wabash Street	East	50 ft. S/RWL/ Penn Central RR	Wayne Trace

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-09-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.,
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-04

SPECIAL ORDINANCE NO. S-48-73

AN ORDINANCE approving a contract with ALLEN COUNTY TRACTOR SALES INC. for two (2) industrial tractors.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved March 30, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Works, and ALLEN COUNTY TRACTOR SALES, INC., for:

1 Industrial Tractor for mowing	\$3,321.31
1 Industrial Tractor with loader and backhoe with trade - in	7,481.67

all for a total cost of \$10,802.98, all as more particularly set forth on Purchase Order No. 3-14543, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-48-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-05

SPECIAL ORDINANCE NO. S-49-73

AN ORDINANCE approving Change Order No. 1 with Hipskind Asphalt Corporation in connection with Sanitary Sewer Improvement Resolution No. 857-1973 in Trixholme Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with Hipskind Asphalt Corporation, in connection with Sanitary Sewer Improvement Resolution No. 857-1973, for the use of ARMC0 Truss Pipe in place of V.C.P. as set out in specifications, resulting in a savings of \$4,000.00 on contract, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Kraus, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-49-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-09

SPECIAL ORDINANCE NO. S-50-73

AN ORDINANCE approving an agreement with JAY
FOX CONSTRUCTION, INC. for construction of Cook Road
Feeder Main, Phase I.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved March 14, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JAY FOX CONSTRUCTION, INC. for installation of a water line, to be constructed and installed as follows:

1465+ feet of 16" D. I. water main, 36+ feet of 12" D.I. water main and 70+ feet of 6" D.I. water main and its appurtenances on the Cook Road from the existing water main, 676.5 feet west of the center line of S.R. 327, eastward a distance of 1465+ feet to Cranberry Road, all as shown on Fort Wayne Water Utility Engineering Department Drawing Y-10449, sheets 1-3.

for a total cost of \$27,560.50, with reimbursement forthcoming as properties tap in, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-50-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-10

SPECIAL ORDINANCE NO. S-51-73

AN ORDINANCE approving a contract with GRAYBAR ELECTRIC
COMPANY for 100,000 feet of triplexed service drop Wire.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved March 2, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GRAYBAR ELECTRIC COMPANY, for:

100,000 ft. Triplexed service drop Wire consisting of:

2-#4, 7 strand aluminum conductors,
3/64" cross-lined polyethylene insulated, and
1-#6 Stranded, either 5005 or 6201, aluminum alloy bare neutral, Codename: "Kozoo-Strombus/XLP" 70.50/M

all for a total cost of \$7,050.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 9646, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul "Mike" Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: April 24, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-51-73 on the 24th day of April, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of April, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-18

SPECIAL ORDINANCE NO. S-53-73

AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. for twenty-six (26) Police Cars.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 508 dated March 21, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and Poinsett Motors, Inc., for:

12	1973 Four Door Sedans, Police Package with Eight (8) trade-ins	\$33,501.20
14	1973 Four Door Sedans with Eight (8) trade-ins	42,255.32

all for a total of \$75,756.52, as more specifically set forth in said bid document Ref. No. 508 and Purchase Order No. 3-14184 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance no. S-53-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-19

SPECIAL ORDINANCE NO. S-54-73

AN ORDINANCE approving a certain bid document with RIES EQUIPMENT COMPANY, INC., for two (2) four wheel type sweepers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: A certain bid document Ref. No. 499 dated April 5, 1973, between the City of Fort Wayne by and through its Mayor and the Board of Public Works and RIES EQUIPMENT COMPANY, INC., for

2 Four Wheel type sweepers with two trade-ins. \$42,750.00

for a total of \$42,750.00, as more specifically set forth in said bid document Ref. No. 499 and Purchase Order No. 3-14720 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and make a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2: This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Burns, Hinga, Kraus, Moses, Nuckols, Stier, Talarico
NAYS: None
ABSTAINED: Two
D. Schmidt, V. Schmidt

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-54-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-20

SPECIAL ORDINANCE NO. S-55-73

A SPECIAL ORDINANCE approving the creation of a civilian position within the police department and amending Special Ordinance S-67-72 by fixing the salary for such position for the year 1973.

WHEREAS, the Police Department requires the services of an individual trained in chemistry; and

WHEREAS, it is desirable to hire a civilian for such position so as to avoid the necessity of training a police officer and to avoid the necessity of employing a member of the police pension fund in such position; and

WHEREAS, the police department has an opportunity to employ such an individual.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created within the Police Department the position of "Chemical Technician" which position shall be filled by a civilian who shall not be a member of the police pension fund.

SECTION 2. Special Ordinance No. S-67-72 is hereby amended by providing that the annual salary for such position for the year 1973 shall be \$12,500.00.

SECTION 3. This Ordinance shall be in full force and effect from and after passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-55-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-05-03

RESOLUTION NO. R-27-73

A RESOLUTION authorizing payment for repairs to an airport hanger.

WHEREAS, the roof of an airport hanger was destroyed by a wind storm on December 10, 1972; and

WHEREAS, settlement in an amount of \$5,365.18 was paid by the Atlantic Companies Insurance Company, to the Indiana Board of Aviation Commissioners, which money was received into the Aviation Fund; and

WHEREAS, this repair to said hanger was made by C.L. Schust Company, Inc.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the sum of \$5,365.18 to C.L. Schust Company, Inc. for repairs to the roof of the airport hangar.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. -27-73 on the 8th day of May, 1973.

Charles W. Westerman
City Clerk

Winfield C. Moses Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-28

SPECIAL ORDINANCE NO. S-59-73

AN ORDINANCE ratifying and confirming an Agreement between the County of Allen and the City of Fort Wayne for surplus real estate to be used by the Housing Authority of the City of Fort Wayne.

WHEREAS, heretofore the Board of County Commissioners of the County of Allen and the Board of Public Works of the City of Fort Wayne have agreed that the County of Allen shall convey to the City of Fort Wayne the following described real estate:

Lot No. 330 Hanna's Addition to the City of Fort Wayne,
Allen County, Indiana;

subject to ratification of said sale by adoption of an Ordinance by the Common Council of the City of Fort Wayne and by the County Council of Allen County; and

WHEREAS, it is in the best interests of the City of Fort Wayne that the Common Council should ratify said conveyance of said real estate.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

SECTION 1. An Agreement adopted and authorized by resolution of the Board of Commissioners of the County of Allen on the 2nd day of April, 1973 and adopted and authorized by the Board of Public Works of the City of Fort Wayne on the 18th day of April, 1973 whereby the County of Allen and the City of Fort Wayne in consideration of which is acknowledged, the County of Allen agrees to convey the following described real estate:

Lot No. 330 Hanna's Addition to the City of Fort Wayne, Allen County
Indiana;

to the City of Fort Wayne to be used by the Housing Authority of the City of Fort Wayne is hereby ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-59-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-12-04

ZONING MAP ORDINANCE NO. Z-06-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B1B.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D-14 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

Lot #9 Curdes South Acre Ad. Adams Township Allen County, Indiana.

Commonly known as 7222 Bauer Avenue, Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-06-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973 at the hour of 4:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-02-28

ZONING MAP ORDINANCE NO. Z-07-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H6, H8, J8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M3 district under the terms of Chapter 26, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. H6, H8, J8 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

NW $\frac{1}{4}$ of Sec. 21, Twp. 30 N. , Range 13 East in Allen County, Indiana

NE $\frac{1}{4}$ of Sec. 21, Twp. 30 N, Range 13 East in Allen County, Indiana

SW $\frac{1}{4}$ of Sec. 16 Twp. 30 N, Range 13 East in Allen County, Indiana

generally located south of Moeller Road, east of Meyers Road, and west of Adams Center Road.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by V. Schmidt and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-07-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., EST.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-12-35

ZONING MAP ORDINANCE NO. Z-08-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H1, H2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof: and the symbols of the City of Fort Wayne Zoning Map No. H1, H2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The South 264 feet of Lot No. 4 and all of Lot No. 5 in Wayne Haven Addition in Section 9, Township 30 North, Range 13 East in Allen county, Indiana commonly known as 5220 and 5224 New Haven Avenue and 2021 Sheridan Road, Fort Wayne, Indiana.

The deed for said Lot No. 4 is recorded in the Recorder's Office in Deed record 636, Page 388. The deed for said Lot No. 5 appears in the Recorder's Office of Allen County Indiana as Instrument No. 71-21772.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Kraus, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Six
Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier
NAYS: Three
Burns, V. Schmidt, Talarico

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-08-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-02-22 Amended

SPECIAL ORDINANCE NO. S-52-73

AN ORDINANCE approving Agreement with Bercot, Inc. for construction of the Neuhaus Ditch Sanitary Sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement dated July 10, 1972 between Bercot, Inc. as Developer, and the City of Fort Wayne, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in the Neuhaus Ditch area, as follows:

Branch Sewer

Beginning at an existing chamber located 148 ± L.F. South and 50± L.F. West of the Southeast corner of Northeast ¼ of Southwest ¼ of Section 27; thence, turning an interior angle of 63° 52' and project a distance of 220 ± L.F. West; thence, turning South and projecting a distance of 347 feet; thence, turning an angle of 131° 34' South and project a distance of 491 feet; thence, turning an angle of 149° 35' and projecting a distance of 1,174 feet; thence, turning an angle of 156° and projecting a distance of 384 feet terminating at a proposed manhole.

Lateral #1

Beginning at a new manhole located 28 ± L.F. of the North right of way of Goshen Road (U.S. Hwy. #33); thence, Northwesterly along said North right of way a distance of 3,218 ± L.F. terminating at a proposed manhole,

Lateral #1-A

Beginning at a new manhole located 36 ± L.F. South of the Northeast corner of the right of way intersection of Harris and Goshen Roads, thence, North along the east right of way of Harris Road a distance of 1,200 ± L.F. terminating at a proposed manhole.

Lateral # 2

Beginning at a new manhole located 27 ± L.F. North and 8 ± L.F. West of the Southwest corner of Lot #1 in Crestwood Addition Amended; thence, turning an angle to the North of 73° and projecting a distance of 450 feet to the right of way of Butler Road; thence, Northeasterly along the South right of way of Butler Road for a distance of 1,034 feet terminating at a proposed manhole.

Lateral #2-A

Beginning at a new manhole located 15 feet North and 5 feet east of the centerline intersection of Butler Road and Butler Court; thence, Northwesterly along the East right of way of Butler Court a distance of 1,094 ± L.F. terminating at a proposed manhole.

Said sewers shall be 27, 10, and 8 inches in diameter.

All located in the Southwest ¼ Section 27, Township 31 North, Range 12 East.

the total cost of said sewer to be \$217,773.65, the City's share of the project to be approximately \$140,571.65 with the balance to be paid by the property owners, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. Incorporated by reference in this Ordinance and made a part hereof and marked Exhibit "A" the same as if herein recited is a letter from the Board of Public Works addressed to Mr. James S. Stier, Chairman of the Public Works Committee and dated April 30, 1973. All statements contained in said letter of April 30, 1973, marked Exhibit "A", are enacted in this Ordinance.

SECTION 3. That the developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their, or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located. ←

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-52-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of May, 1973, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-25

SPECIAL ORDINANCE NO. S-56-73

AN ORDINANCE approving a contract with BERCOT, INC. for construction of a water line to be installed in Eastland Gardens.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract approved April 3, 1973, between the City of Fort Wayne by and through its Mayor and the Board of Public Works, and BERCOT, INC. for construction of a water line to serve Eastland Gardens, to be constructed and installed as follows:

5246+ feet of 8 inch and 8205 + feet of 6 inch water main on LeMar Dr., Autumn View Dr., Ridgeway Dr., Dexter Dr. Stinson Dr., Castle Dr., Oakwood Dr., and Chandler Dr., all in Eastland Gardens Addition, Section "B". Said water main with all it's appurtenances shall be constructed in accordance with the profile and specifications now on file in the office of the Department of Public Works of said City.

for a total cost of \$203,490.80 of which the City will be paying \$44,860.30, with the balance of \$158,630.56 to be paid by the property owners, all as more particularly set forth in said contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-56-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-26

SPECIAL ORDINANCE NO. S-57-73

AN ORDINANCE approving a certain bid document with
GRAYBAR ELECTRIC COMPANY, for 100,000 feet of Triplex
Wire.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 434 dated April 11, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and GRAYBAR ELECTRIC COMPANY, for:

100,000	Ft. Triplex Service Wire, consisting of: 2-1/0 Stranded Aluminum Conductors, cross-linked Polyethylene insulated, and 1-#2 (Reduced Neutral) Stranded, either 5005 or 6201 Aluminum Alloy Bare Neutral, Code Name: "Kench-Ranella/KLP".	\$160.48/M
---------	---	------------

all for a total of \$16,048.00, as more specifically set forth in said bid document Ref. No. 434 and City Utilities Purchase Order No. 0192 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-57-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-04-27

SPECIAL ORDINANCE NO. S-58-73

AN ORDINANCE approving a contract with EARTH CONSTRUCTION
for construction of a water line to be installed in Colony
Heights, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved April 18, 1973, between the City of Fort Wayne by and through its Mayor and the Board of Public Works, and EARTH CONSTRUCTION, for construction of a water line to serve Colony Heights, Inc., to be constructed and installed as follows:

665 + feet of 16 inch ductile iron pipe on the north side of Tillman Road from the existing 16 inch water main at Woodlyn Drive, eastward a distance of 665+ feet, all as shown on Drawing No. M-10057, Sheet 1 of 1.

for a total cost of \$12,168.00, of which \$11,633.00 shall be divided by the Contributor and the City, and \$535.00 being assumed by said Utility for supplying the necessary labor for inspection, pressure testing, disinfection and engineering.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, asconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-58-73 on the 8th day of May, 1973

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-05-02

RESOLUTION NO. R-26-73

A RESOLUTION authorizing payment for repairs to a city owned vehicle.

WHEREAS, William A. Draper, in an accident on January 23, 1973, damaged City Truck, International Harvester, No. 900; and

WHEREAS, settlement in the amount of \$398.95 was paid by the Cincinnati Insurance Company, to the Controllers Office, which money was received into the General Fund; and

WHEREAS, This repair was made by Don's Body & Paint Shop, 127 West Main Street, Fort Wayne, Indiana on January 26, 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is hereby authorized to pay the sum of \$398.95 to Don's Body & Paint Shop for repairs to City Truck, International Harvester, No. 900.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 8, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-26-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-08

SPECIAL ORDINANCE NO. S-60-73

AN ORDINANCE approving a contract between International Harvester Company and the City of Fort Wayne by and through its Department of Public Safety for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated March, 1973, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety and International Harvester for fire protection from the Fort Wayne Fire Department on specified grounds outside the City limits, for a cost to International Harvester in the sum of \$51,688.50, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated \$48-6176, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 22, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-60-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-09 (Amended)

SPECIAL ORDINANCE NO. S-61-73

A SPECIAL ORDINANCE approving the creation of the position of Superintendant of the Communications Division of the Department of Public Safety and fixing the salary for such position for the year 1973.

WHEREAS, it is desirable to create the position of Superintendant of the Communications Division of the Department of Public Safety who will have responsibility for both the dispatch function and the technical section of the Communications Division of the Department of Public Safety, thereby eliminating the need for the position of Chief of said Division.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created within the Communications Division of the Department of Public Safety the position of Superintendant of Communications Division of the Department of Public Safety.

SECTION 2. Special Ordinance No. S-61-72 is hereby amended by providing that the annual salary for such position for the year 1973 shall be \$15,950.00.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, Nuckols, Talarico
NAYS: Three
D. Schmidt, V. Schmidt, Stier

DATE: May 22, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-61-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-10

SPECIAL ORDINANCE NO. S-62-73

AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET, INC. for four (4) station wagons, police package; and with ALLEN COUNTY MOTORS, INC. for one (1) 1/2 ton wide-side Pick up Truck.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 521 dated April 4, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and HEFNER CHEVROLET, INC., for:

4 1973 Four Door Station Wagons, police package, with four trade-ins \$10,107.00

as more specifically set forth in said bid document Ref. No. 521 and Purchase Order No. 3-15325-E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. Also a certain bid document Ref. No. 521 dated April 4, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and ALLEN COUNTY MOTORS, INC., for

1 1/2 Ton Wide-Side Pick-Up Truck with one trade-in \$ 3,175.00

as more specifically set forth in said bid document Ref. No. 521 and Purchase Order No. 3-15145-E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: May 22, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-62-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-11 (Amended)

SPECIAL ORDINANCE NO. S-63-73

A SPECIAL ORDINANCE approving the creation of Chief of Fire Combat with the Fire Department and amending Special Ordinance No. S-61-72 by fixing the salary for such position for the year 1973.

WHEREAS, The National Loss Control Service Corporation has conducted an in-dept. study of the Fort Wayne Fire Department; and

WHEREAS, as part of its recommendations said National Loss Control Service ~~Control Service~~ Corporation has recommended that greater efficiency may be obtained by replacing the three Assistant Chiefs in the Combat Division with one Chief of Fire Combat; and

WHEREAS, as part of its recommendations said National Loss Control Service Corporation further recommended that part of the savings obtained by abolishing the positions of Assistant Chief be utilized to create a salary for the position of Chief of Combat Command at a higher level than that established for Assistant Chief, thus recognizing the increased responsibility of the new position;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created within the Fort Wayne Fire Department the position of Chief of Fire Combat who shall have the responsibility for the supervision of the administration and operation of the combat arm of the Fire Department.

SECTION 2. Special Ordinance No. S-61-72 is hereby amended by providing that the annual salary for such position for the year 1973 shall be \$14,300.00

SECTION 3. This Ordinance shall be in full force and effect from and after passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Burns, Hinga, Kraus, Moses, Nuckols, Talarico
Nays: Three
D. Schmidt, V. Schmidt, Stier
Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-63-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-12

SPECIAL ORDINANCE NO. S-64-73

AN ORDINANCE approving a contract between ZOLLNER CORPORATION and the City of Fort Wayne by and through its Department of Public Safety for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract, dated April 30th, 1973, between the City of Fort Wayne, by and through its Mayor and Board of Commissioners, Department of Public Safety and Zollner Corporation for fire protection from the Fort Wayne Fire Department on specified grounds outside the City limits, for a cost to Zollner Corporation in the sum of \$7,431.29, which amount shall be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Burns Statutes Annotated § 48-6176, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Safety and is by reference incorporated herein, and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-64-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-14

SPECIAL ORDINANCE NO. S-66-73

AN ORDINANCE amending Chapter 29, Section 18 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended by Special Ordinance S-409-70 and concerning taxicabs.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 29 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by Special Ordinance No. S-409-70 be and the same is hereby amended as follows:

- (a) Section 18, Paragraph 1, concerning the charges to be made for the carrying of passengers by the taxicabs of the City of Fort Wayne, of Chapter 29 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is further amended as follows:

"Section 18. Fares and Taximeters" by deleting Section 1 through 4 thereof and by inserting therein the following:

1. From one to and including four passengers, for the first one-fifth mile or fraction thereof, the fare shall be sixty cents (60¢).
2. For each additional one-fifth mile or fraction thereof, the fare shall be an additional ten cents (10¢).

3. An additional charge of forty cents (40¢) shall be made for transporting over four passengers.

4. For each one and one-half minutes of waiting time or fraction thereof, the fare shall be an additional ten cents (10¢) or Four Dollars fifty cents (\$4.50) per hour.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-66-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23 rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-05-16

RESOLUTION NO. R-28-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car #2.

WHEREAS, Police Department Squad Car #2 was damaged in an accident by Barker W. Davis, Jr. on January 28, 1973 at 215 E. Superior Street; and

WHEREAS, settlement in the amount of \$90.75 was made by State Farm Insurance, which money was receipted into the General Fund, and settlement in the amount of \$90.75 was made by American Underwriters Group, which money was also receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$181.50, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$181.50 to Jim Kelley Buick for repairs to said Police Department Squad Car #2.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-28-73 on the 22nd day of May, 1973.

Attest: (Seal)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-05-17

RESOLUTION NO. R-29-73

A RESOLUTION authorizing payment for repairs
to Squad Car #6.

WHEREAS, Squad Car #6 was damaged in an accident occurring March 30, 1973 on East Paulding Road; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$314.25, which sum is the reasonable value of said repairs;

WHEREAS, settlement in the amount of \$314.25 was made by Economy Fire & Casualty Company, which money was receipted into the General Fund; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$314.25 to Jim Kelley Buick for repairs to said Squad Car #6.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-29-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-05-18

RESOLUTION NO. R-30-73

A RESOLUTION authorizing payment for repairs
to Building Department Vehicle #310.

WHEREAS, Building Department vehicle #310 was damaged in an accident by Connie L. Moormaw on January 11, 1973; and

Whereas, settlement in the amount of \$217.71 was made by State Farm Insurance, which money was receipted into the General Fund; and

WHEREAS, City Utilities has submitted an estimate in the amount of \$217.71, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$217.71 to City Utilities for repairs to said Building Department Vehicle #310.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-30-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-05-19

RESOLUTION NO. R-31-73

A RESOLUTION authorizing payment for repairs
to Police vehicle #2

WHEREAS, Police vehicle #2 was damaged in an accident at Freeman and Covington Road on July, 19, 1972;

WHEREAS, settlement in the amount of \$650.85 was made by the Great American Insurance Company, covering the \$1000.00 deductible insurance coverage carried by the City, the remainder of repair costs coming from the Police Department's budget's repair account;

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$1,650.85, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$1,650.85 to Jim Kelley Buick for repairs to said Police Vehicle #2.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-31-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-05-15

GENERAL ORDINANCE NO. G-10-73

AN ORDINANCE amending the Electrical Code of the City of Fort Wayne, Indiana, Chapter 38 of the Municipal Code, by amending Sections 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 26, 29, 30, 31, 36, and 40 thereof.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It is the purpose of this ordinance to correct ambiguities in the language of the Electrical Code and clarify the same so that the Building Department which administers the Code and those persons engaged in the Electrical trades who must work in accordance with the Code will understand and proceed without doubts concerning the true meaning and intent of the same.

SECTION 2. Section 12 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 12. License required. No person, firm, or corporation shall engage in the business of installing, maintaining, altering or repairing within the City of Fort Wayne, or in connection with civil city owned property outside of the City of Fort Wayne, any electrical wiring, devices, appliances or equipment unless such a person, firm or corporation shall have received an electrical contractor's license (Class I) and certificate therefor, nor shall any person, firm or corporation, in any manner, undertake to execute any such electrical work unless such person, firm or corporation shall have in his (or its) employ a person who has an electrical supervisor's license (Class II) and certificate therefor; nor shall any person engage in such electrical work unless he is a holder of journeyman's license (Class III); except that no license shall be required in order to execute the following work:

1. Any work involved in the manufacture, test or repair of electrical materials, devices, appliances or apparatus, but not including any permanent building wiring.

2. The assembly, erection and connection of electrical apparatus and equipment by the manufacturer of such apparatus and equipment, but not including any electrical wiring other than involved in making electrical connections on the apparatus or equipment itself or between two or more parts of such apparatus or equipment.

3. For minor repair work, for the replacement of lamps or for the connection of portable devices to suitable receptacles which have been permanently installed.

4. For the installation of wiring, devices, appliances or equipment for the operation of signals or the transmission of intelligence, where such wiring, devices, appliances or equipment operate at a voltage not exceeding fifty volts between conductors, and do not include generation or transforming equipment capable of supplying more than 50 Watts of energy.

5. For any repairing, maintenance or servicing of any equipment installed under the provision of the Ordinance.

6. Installations and equipment in railway cars, commercial or governmental radio transmission installations beyond the point of energy to the individual units, or installations and equipment employed by an electrical supply or communication agency in the generation, transmission or distribution of electrical energy or for the operation of signals or the transmission of intelligence in the exercise of its function as a utility.

7. Activities normally identified as that engaged in by one acting as a helper or apprentice to a Class II or Class III license.

SECTION 3. Section 13 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 13. Classes of licenses. Three classes of license and certificates therefor shall be issued. These shall be designated as Class I Electrical Contractor's License; Class II Electrical Supervisor License; Class III Journeyman's License.

Class I - Electrical Contractor's License shall entitle the holder thereof to engage in the business of electrical contracting to secure permits for installation, alteration and repair of any electrical wiring, devices, appliances, or equipment. Holder of license is required to have passed an examination or is required to have in his (or its) employ a person who has passed a Class II examination.

Class II - Electrical Supervisor's License shall entitle the holder thereof to supervise the work of installing, maintaining, altering, and repairing electric wiring, devices, appliances, and equipment while in the employ of an electrical contractor, or other industry requiring a full-time electrical construction and/or maintenance department. In the latter provision such work shall be limited to the premises owned or occupied by such industry.

Class III - Journeyman's License shall entitle the holder thereof to undertake the work of installing, maintaining, altering and repairing electrical wiring, devices, appliances and equipment under the supervision of a holder of an electrical supervisor's license.

SECTION 4. Section 14 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 14. Applicant for A Class I Electrical Contractor's License shall be required to establish and maintain a business office and a listed business telephone not further from Fort Wayne than within the boundaries of the counties contiguous to Allen County, Indiana.

Application shall be on a form available at the Building Department which shall state:

Name of Person, Firm, or Corporation to be Holder.

Name of Person Holding Class II License who is designated Supervisor.

Address from which business is to be conducted.

Business telephone number. (If new to be verified by Telephone Company).

Applicant for a Class II Electrical Supervisor's License, or a Class III Journeyman's License shall be required to take a qualifying examination.

Applications for license shall be made in writing to the Board of Examiners not later than twenty (20) days prior to examination date on a form available at the Building Department stating the class of license applied for.

SECTION 5. Section 15 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 15. Holder of License and Supervisor, Class I and II. Each applicant for a Class I License issued in accordance with the provisions of this Ordinance shall be known as the holder of the license, and shall specify on the application the name of the person who has passed the examination for Class II and such person shall be designated in the certificate as the supervisor of all work to be done under the license. The person designated as the supervisor shall be a person in the employ or the holder himself; or if the holder is a firm, may be a member of the firm; or if the holder is a corporation, may be an officer in the corporation.

The person who is designated as Supervisor shall notify the Board of Electrical Examiners within 30 days if he shall leave employment of holder of Class I License. The same person shall not be designated as the supervisor in two or more Class I Licenses issued to different persons, firms or corporations.

In event that the business association with or employment of the supervisor by the holder of the Class I License shall terminate, said license shall become null and void ninety (90) days after such termination, unless another person who has passed the examination is designated as the supervisor.

SECTION 6. Section 16 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 16. Bond and Insurance requirement shall comply with Section 107 of the Building Code.

SECTION 7. Section 17 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 17. Fees for licenses; duration and renewal of license. Before a license is granted to any applicant and before any expiring license is renewed, the applicant shall pay to the city a fee in such an amount as is herein specified for the class of license to be granted or renewed as follows:

Class II, Electrical supervisor.....	\$ 15.00
Annual renewal fee.....	10.00

Each license shall expire on December 31st following the date of its issue and shall be renewed by the Board of Electrical Examiners through the Electrical Inspector upon application of the holder of the license and payment of the required fees any time before or within thirty (30) days from the date of such expiration.

In the event that licensee allows his license to expire without renewal within thirty(30) days, he shall submit a new application for license subject to the full annual fee for new license.

No examination shall be required if license lapse is less than one (1) year.

SECTION 8. Section 19 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 19. Display of certificates. Certificate of license, Class I, shall be displayed by licensee in a conspicuous manner in his (its) principal place of business.

Journeyman and Supervisors shall carry their certificates with them while on the job.

SECTION 9. Section 20 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 20. Citizenship Requirements. No one but an American citizen or one in the process of becoming an American citizen shall be granted a license under this Code in the City of Fort Wayne.

SECTION 10. Section 21 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 21. Licenses - non-transferable. No license issued in accordance with the provisions of this Code shall be assignable or transferable.

SECTION 11. Section 22 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 22. Suspension or revocation of license. Any license may, after hearing, be suspended or revoked by the Board of Electrical Examiners if the person, firm or corporation holding such license wilfully, or by reason of incompetence, repeatedly violates any Statutes of the State of Indiana or any ordinance or rules or regulations of the City of Fort Wayne or the National Electrical Code relating to the installation, maintenance, alteration or repair of electrical wiring, devices, appliances and equipment.

The Board of Electrical Examiners shall revoke any Class I electrical license if during a period of two (2) years no permit for the installation of any electrical wiring, devices, appliances, or apparatus shall have been secured from the City of Fort Wayne by the holder of the license.

SECTION 12. Section 26 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 26. Time of examination. Examinations will be given regularly on the first Monday in January, April, July, and October, unless that day is an official holiday or officially celebrated as such, in which case examinations will be given on the following Monday. Applications will be accepted no later than twenty (20) days prior to examination date.

SECTION 13. Section 29 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 29. Qualifications for the scope of examination. No person shall be examined for an Electrical Supervisors's License unless he shall have been a holder of a Class III License for at least four (4) years, or can furnish satisfactory evidence of four (4) years' work experience normally associated with the duties of a journeyman electrician.

No person shall be examined for a Class III License unless he shall have had experience of at least four (4) years as an apprentice or helper in electrical construction and maintenance. (Excluding electronics - signal and telephone.)

A certificate or diploma from a recognized school of electricity construction or maintenance will be acceptable in lieu of two (2) of the four (4) years hereinabove required for a Class III license. Two (2) years' electrical experience in the United States Military Service will also be acceptable however in lieu of one (1) year of the of the four (4) noted above. Not more than two (2) years' credit shall be given for any combination of such school work and military experience.

Applicants will be examined to determine their knowledge of the rules and regulations governing the installation of electrical wiring, devices, appliances and equipment, as set forth in the statutes of this State, or as issued under the authority of the statutes of this State, in ordinances of the City, and in the National Electric Code, and to determine the general qualifications and fitness of each applicant for executing the class of work covered by the license applied for.

SECTION 14. Section 30 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 30. Failure to pass examination. Should an applicant fail to pass an examination, not having obtained a rating of 70% or higher, said applicant may be re-examined upon submitting application in writing at least twenty (20) days before the next specified examination date, provided that an applicant who fails in an examination for a Class III license shall not be eligible for another examination until the expiration of six (6) months and should he fail in the second examination, he shall not be eligible for a third examination until the expiration of one (1) year after the second examination.

SECTION 15. Section 31 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 31. Form and grading of examinations. Examinations shall be in writing and a complete record of each shall be kept on file for a period of seven (7) years after date of such examination at the office of the Electrical Inspector.

Examination shall be independently graded by the Electrical Inspector and by at least two other members of the Board of Examiners.

The Board of Examiners shall grant, through the Electrical Inspector, license as applied for and shall issue certificates therefor to those applicants who shall show the proper qualifications, provided that in every case the license shall not be granted until the prescribed fee has been paid.

SECTION 16. Section 36 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 36. Application for permit. Applications for permits describing the work to be done shall be made in writing to the Electrical Inspector by the person, firm or corporation installing the work, and the permit when issued, shall be to such applicant. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the installation as described will be in conformity with the regulations and requirements of this Code. If the applicant has complied with all the provisions of this Code, a permit for such installation shall be issued; provided, however, that the issuance of the permit shall not be taken as permission to violate any of the requirements of this Code. It shall be unlawful for one duly licensed Electrical Contractor to secure a permit for another Electrical Contractor who is not licensed under this Ordinance.

SECTION 17. Section 40 of Chapter 38 of the Municipal Code of the City of Fort Wayne, Indiana, is hereby amended to read as follows:

Section 40. Inspection and certificates. Upon the completion of the work which has been authorized by issuance of a permit, it shall be the duty of the person installing the same to notify the Electrical Inspector who shall inspect the installation within twenty-four (24) hours, exclusive of Saturdays, Sundays and legal holidays, of the time such notice is given or as soon thereafter as is practicable, and if found to be in full compliance with the provisions of this chapter, he shall issue a final certificate of approval and send written notice to all distributors of electricity of such authorization. No distributor of electricity shall connect to source of supply without the authority of the Electrical Inspector.

When a certificate of approval is issued authorizing the connection and use of incompleting or temporary work, such certificate shall be issued to expire at a time stated therein and shall be revocable by the Electrical Inspector for cause. A preliminary certificate of approval may be issued authorizing the connection and use of certain specified portions of an uncompleted installation, such certificate being revocable at the discretion of the Electrical Inspector.

When any part of a wiring installation is to be hidden from view by permanent placement of parts of the building, the person installing the wiring shall notify the Electrical Inspector and such parts of the wiring installation shall not be concealed until after they have been inspected and approved by the Electrical Inspector, or until twenty-four (24) hours, exclusive of Saturdays, Sundays and legal holidays, shall have elapsed from the time of such notification, providing that on large installations, where the concealment of parts of the wiring proceeds continuously, the person installing the wiring shall give the Electrical Inspector due notice and inspections shall be made periodically during the work.

If the installation is not found to be fully in compliance with this ordinance, the Electrical Inspector shall post notice on the installation; also a written notice stating the defects which have been found to exist.

If more than two (2) trips to a job site are required for the Inspector to verify a correction of defective workmanship or improper application of materials and/or equipment, subsequent trips to that job site for such purposes shall be billed to the Electrical Contractor at five (\$5.00) Dollars per trip.

SECTION 18. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the Ordinance as a whole or any other part, section, clause, provision, or portion of this Ordinance.

SECTION 19. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-10-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. G-73-05-24

Councilman John Nuckols, moved to suspend the rules on passage of Bill No. G-73-05-24, at this meeting of May 22, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above Bill and General Ordinance was accordingly placed on its passage.

Date: 5-22-73

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-11-73.

ATTEST: (SEAL)

Date: 5-22-73

Charles W. Westerman
City Clerk

BILL NO. G-73-05-24

GENERAL ORDINANCE NO. G-11-73

AN ORDINANCE repealing Special Ordinance No. S-242 approved March 25, 1958, by the Common Council of the City of Fort Wayne, Indiana, which ordinance ratified and approved a certain contract and agreement made and entered into by and between the City of Fort Wayne Indiana, by and through its Board of Public Works, and S. F. Bowser and Company, Inc. of the City of Fort Wayne, Indiana.

WHEREAS, on the 4th day of March, 1958, the City of Fort Wayne, Indiana, by and through its Board of Public Works, made and entered into a certain contract and agreement with S. F. Bowser & Company, Inc. of the City of Fort Wayne, Indiana, for the granting of a franchise to construct, maintain and operate a side track, connecting the main tracks of the Pittsburgh, Fort Wayne, and Chicago Railroad (now known as the Pennsylvania Railroad Company) up with the plant of the said S.F. Bowser & Company, Inc. for a period of twenty-five years from the 4th day of March, 1958; and

WHEREAS, the Successor in interest to said S.F. Bowser & Co., Inc., with regard to the rights granted under said agreement and ordinance is the McMillen Foundation, Inc. an Indiana Not for Profit corporation; and

WHEREAS, it is no longer necessary for the parties and their successors to the franchise agreement to make further use of the rights granted thereunder; and

WHEREAS, all parties in interest to said franchise agreement have released all outstanding rights therein, as evidenced by the Release attached hereto, marked Exhibit "A" and by this reference incorporated herein; and

WHEREAS, all parties in interest to said franchise agreement desire that said franchise agreement be forever terminated and released.

NOW THEREFORE, be it ordained by the Common Council of the City of Fort Wayne, Indiana:

SECTION 1. That the Special Ordinance No. S-242, approved by the Common Council of the City of Fort Wayne, Indiana on March 25, 1958 which ordinance ratified and approved a certain contract and agreement made and entered into by and between the City of Fort Wayne, Indiana, by and through its Board of Public Works, and S.F. Bowser & Company, Inc. of the City of Fort Wayne, Indiana, is hereby repealed.

SECTION 2. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-11-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

RELEASE OF RIGHTS IN AND TO A RAILROAD SIDE TRACK FRANCHISE

THIS AGREEMENT, Made and entered into this _____ day of _____, 1972, by and between the CITY OF FORT WAYNE, in the State of Indiana, hereinafter called "City", and MC MILLEN FOUNDATION, INC., a not for profit corporation, duly incorporated under the laws of the State of Indiana, hereinafter called "The Foundation".

WITNESSETH:

WHEREAS, there is in existence a certain Agreement concerning a side track railroad franchise, dated the 4th day of March, 1958, by and between BOWSER, INC., and Indiana corporation, and the City, which said Agreement of March 4, 1958, is a renewal of one certain Side Track Franchise Agreement executed and effective as of March 30, 1933, by and between Bowser, Inc. and the City, and

WHEREAS, the above recited Agreement of 1933 constituted a consolidation of original Side Track Franchise Agreements between Bowser, Inc. and the City which were executed and effective as of March 24, 1908, and June 14, 1910, respectively, and evidenced by certain general City Ordinances numbered 354 and 440, respectively, all as recited in the Agreement of March 4, 1958, above referred to between Bowser, Inc. and the City, and

WHEREAS, all of the above recited Side Track Franchise Agreements touch and concern real estate conveyed by Bowser, Inc., an Indiana corporation, with its principal office in the City of Chicago, Cook County, Illinois, to Growth Industries, Inc. by that certain Warranty Deed from Bowser, Inc. to Growth Industries, Inc. dated April 24, 1962, and recorded as Document No. 22396 in Book No. 601, pages 578 through 581 inclusively, along with the Bowser, Inc.'s assignment of all of Bowser, Inc.'s rights under the above recited Franchise Agreement dated March 4, 1958, and as evidenced by General Ordinance No. S-242 which represents an extension of the above referred Ordinances Nos. 354 and 440 of the City, and

WHEREAS, Growth Industries, Inc. was dissolved into The Foundation as evidenced by those Articles of Dissolution approved and filed with the Secretary of State of Indiana on May 28, 1968, and recorded on May 29, 1968 as Document No. 10080 in Book No. 320 at page 305 through page 312 inclusively, and

WHEREAS, The Foundation is presently the owner in fee simple of all real estate presently replatted as Lots 11A and 12A, duly recorded in Plat Book 31, page 90 and labeled as the Hanna-Creighton Subdivision in the Office of the Allen County Recorder, in the State of Indiana; and The Foundation desires to evidence the following covenants to the City.

NOW, THEREFORE, in consideration of the recitations hereinabove, it is hereby expressly stated and agreed:

That The Foundation hereby releases all of its past, present and future legal and equitable rights whatsoever, easements, franchises to construct, maintain and operate a side track connecting the main tracks of the Pittsburgh, Fort Wayne and Chicago Railroad (now known as the Penn Central Railroad Company) to tracks serving any and all buildings and real estate located between Oliver Street on the West, Bowser Street on the East, and between Creighton Avenue on the North and Emily Street on the South in the City of Fort Wayne, County of Allen, State of Indiana; furthermore, and not in limitation of the foregoing, this Release pertains to said Side Track Franchise in each and every facet that said Franchise effects, touches or concerns the real estate owned by The Foundation as previously recited in these presents.

Furthermore, for value received, by reason of its equitable interest arising from and out of that certain Contract for Conditional Sale of Real Estate entered into on the 28th day of May, 1964, Wayne Warehousing and Cartage, Inc., an Indiana corporation, does by its signature below evidence its release forever of any and all rights in and to said Franchise as conveyed in said Contract for Contract for Conditional Sale of Real Estate.

ATTEST:

SECRETARY

ATTEST:

ATTEST:

SECRETARY

MC MILLEN FOUNDATION, INC.

BY: _____

PRESIDENT

CITY OF FORT WAYNE

BY: _____

TITLE: _____

WAYNE WAREHOUSING AND
CARTAGE, INC.

BY: _____

PRESIDENT

BILL NO. R-73-05-25

RESOLUTION NO. R-32-73

A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Amendment of the Hanna-Creighton Urban Renewal Project I, IND. R-51 proposed by the Fort Wayne Redevelopment Commission and Confirming the Declaratory Resolution - Amending the Urban Renewal Plan for Hanna - Creighton Urban Renewal Project I, IND. R-51 of the Fort Wayne Redevelopment Commission.

WHEREAS, The Fort Wayne Redevelopment Commission adopted Declaratory Resolution amending the Urban Renewal Plan for Hanna-Creighton Urban Renewal Project I, IND. R-51 on April 9, 1973, based on plans filed in the office of said Fort Wayne Redevelopment Commission; copy of which Declaratory Resolution is attached hereto, made a part hereof and marked "Exhibit A".

WHEREAS, the Plan Commission of the City of Fort Wayne at its Regular Meeting on May 14, 1973, adopted and issued a written order approving said Declaratory Resolution and Amendment to the Urban Renewal Plan referred to therein, relative to the said Hanna-Creighton Project I, IND. R-51; a copy of which Approval Order is attached hereto and made a part hereof and marked "Exhibit B".

WHEREAS, the foregoing actions of the said Fort Wayne Redevelopment Commission and the Fort Wayne City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the said actions are hereby approved, ratified, and confirmed.
2. That this resolution shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-32-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

"EXHIBIT A"

DECLARATORY RESOLUTION AMENDING URBAN
RENEWAL PLAN FOR HANNA-CREIGHTON
PROJECT I, IND. R-51

WHEREAS, the Fort Wayne Redevelopment Commission duly adopted an Urban Renewal Plan for a certain blighted area of the City of Fort Wayne, Indiana under the provisions set forth in Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana and all acts amendatory and supplemental thereof, known as the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" by Declaratory Resolution adopted by said Commission on October 19, 1964; and

WHEREAS, said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was duly approved by written order of the Fort Wayne City Plan Commission on October 19, 1964, and by ordinance of the Common Council of the City of Fort Wayne, Indiana, on October 27, 1964; and

WHEREAS, notice was given by the Fort Wayne Redevelopment Commission, in the form and manner prescribed by law, in two daily newspapers of general circulation printed and published in the English language in the City of Fort Wayne, Indiana, on November 28, 1964, and December 5, 1964, to the effect that a public hearing would be held on December 17, 1964, at 7:30 P.M. in the Common Council Chambers of the City of Fort Wayne, at which time remonstrances and objections of persons interested in or affected by said proceedings pertaining to the proposed "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" and after considering same, that said Fort Wayne Redevelopment Commission would take final action on said Declaratory Resolution; and

WHEREAS, at the time and place of said public hearing, said proposed "Hanna-Creighton Urban

400

Renewal Plan, Project I, Ind. R-51", as set forth in said Declaratory Resolution, was found to be of public utility and benefit, and said Declaratory Resolution was confirmed and such final action duly recorded in the records of said Commission; and

WHEREAS, no appeal was taken by any aggrieved person from such final action of the Fort Wayne Redevelopment Commission within ten (10) days to the Allen Circuit Court or to the Superior Court of Allen County, Indiana; and

WHEREAS, said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", was duly recorded in the Office of the Recorder of Allen County, Indiana, on February 1, 1966, in Miscellaneous Record 284 at Pages 235-44, and which Plan is by this reference incorporated herein as if same had been fully set out herein verbatim; and

WHEREAS, the Fort Wayne Redevelopment Commission has ever since said time purchased and has endeavored to redevelop all of the real estate located within the project area described in said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" with the exception of the following real estate located within said project and also within Fort Wayne, Allen County, Indiana, the same being more particularly described as follows:

Commencing at the intersection of the west line of Bowser Avenue and the north line of Creighton Avenue; thence east along the north line of Creighton Avenue to the intersection of the west line of Holton Avenue; thence north along the west line of Holton Avenue to the south line of the first east-west alley north of Creighton Avenue (said alley having been vacated since the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was recorded on February 1, 1966, in the Office of the Recorder of Allen County, Indiana); thence west along the south line of said alley to the west line of Bowser Avenue; thence South to the place of beginning.

hereinafter referred to as "Excluded Real Estate";

WHEREAS, since said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was begun, the Fort Wayne Redevelopment Commission has found that the real estate described herein as "Excluded Real Estate" is not needed to carry out said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" and that it would be of public utility and benefit to eliminate from said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", the "Excluded Real Estate" described herein; and

WHEREAS, THE Fort Wayne Redevelopment Commission has not purchased or acquired any interest in the "Excluded Real Estate";

NOW, THEREFORE, BE IT RESOLVED, by the Fort Wayne Redevelopment Commission pursuant to Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana and all acts amendatory and supplementary thereto and pursuant to Section F of the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", which is recorded in Miscellaneous Book 284, Pages 235-44, in the Office of the Recorder of Allen County, Indiana, that the following-described real estate located within the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" and also within the City of Fort Wayne, Allen County, Indiana, and more particularly described as follows:

Commencing at the intersection of the west line of Bowser Avenue and the north line of Creighton Avenue; thence east along the north line of Creighton Avenue to the intersection of the west line of Holton Avenue; thence north along the west line of Holton Avenue to the south line of the first east-west alley north of Creighton Avenue (said alley having been vacated since the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was recorded on February 1, 1966, in the Office of the Recorder of Allen County, Indiana); thence west along the south line of said alley to the west line of Bowser Avenue; thence South to the place of beginning.

hereinbefore and after referred to as "Excluded Real Estate"; be eliminated from the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51";

BE IT FURTHER RESOLVED, that the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" shall be deemed amended to have no applicability whatsoever to the "Excluded Real Estate" described herein;

BE IT FURTHER RESOLVED, that the Fort Wayne Redevelopment Commission feels that it is of public utility and benefit to amend the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" as herein provided;

BE IT FURTHER RESOLVED, that except as herein provided, the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" as recorded in Miscellaneous Book 284, Pages 235-44 in the Office of the Recorder of Allen County, Indiana, shall remain in full force and effect until otherwise modified in accordance with the provisions of said plan or with the laws of the State of Indiana.

EXHIBIT "B"

RESOLUTION OF THE FORT
WAYNE CITY PLAN COMMISSION

The City Plan Commission of the City of Fort Wayne in regular session on May 14, 1973, having before it a copy of the Fort Wayne Redevelopment Commission's Resolution No. 73-16, Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51, adopted by the Redevelopment Commission on April 9, 1973, and having duly considered same, the Fort Wayne City Plan Commission upon motion by John Nuckols, seconded Lee Smith, unanimously approved and adopted the following resolution:

WHEREAS, The Fort Wayne Redevelopment Commission has submitted to the Fort Wayne City Plan Commission a Declaratory Resolution adopted by the Fort Wayne Redevelopment Commission on April 9, 1973, designated as "Resolution No. 73-16, Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51", and said Declaratory Resolution having been duly considered by the Fort Wayne City Plan Commission and found to be in conformance with the Master Plan of Development for the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that said Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51 conforms to the Master Plan of Development for the City of Fort Wayne and said Declaratory Resolution is accordingly hereby approved.

BE IT FURTHER RESOLVED that the President of this Commission be and is hereby authorized to deliver to the Fort Wayne Redevelopment Commission and to the Common Council of the City of Fort Wayne a certified copy of this resolution which shall constitute the approving order of the Fort Wayne City Plan Commission as required by law approving said Resolution No. 73-16- Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51.

Gretchen Wiegel
Secretary, Fort Wayne City Plan
Commission

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

I, Alan R. Grinsfelder, President of the Fort Wayne City Plan Commission, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission at a regular meeting of said Commission held on May 14, 1973, and as the same appears of record in the official records of the said Plan Commission dated the 14th day of May, 1973.

Approved:

Alan R. Grinsfelder, President
of the Fort Wayne City Plan
Commission

BILL NO. S-73-05-13

SPECIAL ORDINANCE NO. S-65-73

AN ORDINANCE approving a contract with
CONRAD ERECTION & SUPPLY and HIPSKIND
ASPHALT CORP. to cover the cost of
emergency repairs to the Lafayette
Street Underpass.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved May 1, 1973, between the City of Fort Wayen, by and through its Mayor and the Board of Public Works, and CONRAD ERECTION & SUPPLY and HIPSKIND ASPHALT CORP., for:

Repair of Lafayette Street Underpass	
East Side Item #3	\$4,840.00
60.25 tons of 10.00 per ton	602.50
	<u>\$5,442.50</u>

and

Repair of Item No. West side south section on Lafayette Street underpass in the amount of \$4340.00 plus 11 tons of stone and back fill at \$10.00 per ton.	\$4,450.00
---	------------

all for a total cost of \$9,892.50, all as more particularly set forth on Civil City Purchase Orders No. 3-15363 and 3-15300, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-22-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-65-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-65-73 on the 22nd day of May, 1973.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-05-07

GENERAL ORDINANCE NO. G-12-73

AN ORDINANCE amending Section 13 of Chapter 3 of the Municipal Code of Fort Wayne by: (1) imposing a redemption fee of ten dollars (\$10.00) in respect to the first occasion upon which a dog running at large has been impounded, and (2) requiring shelter adequate to protect a female dog in heat from conception.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 13 of Chapter 3 of the Municipal Code of the City of Fort Wayne is hereby amended so as to read in its revised entirety as follows:

"13. It shall be the duty of every humane officer or assistant humane officer of the City of Fort Wayne to apprehend and impound all dogs found running at large. Any dog so impounded may, upon payment of the redemption fee specified below, be redeemed by the owner within seventy-two (72) hours after the impounding of such dog by reclaiming such dog at the humane shelter; provided, however, that the owner or such dog shall pay to the City of Fort Wayne a redemption fee of ten dollars (\$10.00).

"Such fees shall be paid to the person in charge of the humane shelter who shall accept such money on behalf of the City and who shall issue a receipt for the same, whereupon such dog shall be released to the owner thereof; provided, however, that no dog shall be released unless the owner shall also show a dog-tax receipt as proof of ownership.

"All impounded dogs not released within seventy-two (72) hours after being impounded may be placed in suitable homes or destroyed in a humane manner by the Fort Wayne Humane Commission. The Person in charge of the humane shelter shall keep an accurate record of all impounded dogs which record shall show the time each dog is impounded, the disposition made of each dog, and all appropriate information.

"Any person owning or harboring any female dog in heat must provide shelter adequate to protect the animal from conceiving. Any person who fails to provide such shelter for a female dog in heat shall be guilty of a misdemeanor and shall, upon conviction, be fined not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). Each day during any portion of time in which a female dog in heat is left unsheltered shall constitute a separate offense.

"It shall be unlawful for any person to hinder, molest, or interfere with any humane officer or other official authorized to perform any duty described in this section."

Section 2. This Ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor and legal publication.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Five
Burns, Hinga, Nuckols, D. Schmidt, V. Schmidt
NAYS: Four
Kraus, Moses, Stier, Talarico

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-12-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-06

RESOLUTION NO. R-33-73

A RESOLUTION transferring certain funds from account no. 80-111 Salaries in the 1973 Budget of the City Plan Commission.

WHEREAS, there are insufficient funds in Account Nos. 80-324 Garage, 80-725 Equipment, 80-213 Travel, 80-243 Blueprinting, 80-363 other supplies, and 80-364 Computer Services to cover influx of projects and annexation investigations; and,

WHEREAS, there are sufficient funds in Account No. 80-111 Salaries due to operating at less than full employment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

From Account No. 80-111 Salaries	\$5,000.00
To Account No. 80-324 Garage	500.00
AND	
To Account No. 80-725 Equipment	500.00
AND	
To Account No. 80-213 Travel	550.00
AND	
To Account No. 80-243 Blueprinting	1,000.00
AND	
To Account No. 80-363 Other Supplies	500.00
AND	
To Account No. 80-364 Computer Services	1,950.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-33-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-07

RESOLUTION NO. R-34-73

A RESOLUTION transferring certain funds from Account Nos. 75-362 Stationary and Printing, 75-324 Garage & Motor Supplies and 75-252 Repair of Equipment.

WHEREAS, there are insufficient funds in Account No. 75-276 Equipment to cover costs involved to enable the Weights and Measures Department to buy up-to-date equipment for testing packaged goods; and

WHEREAS, there are sufficient funds in Account Nos. 75-362 Stationary & Printing, 75-324 Garage & Motor supplies and 75-252 Repair of Equipment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

From Account No. 75-362 Stationary and Printing	\$ 50.00
---	----------

AND

From Account No. 75-324 Garage and Motor Supplies	100.00
---	--------

AND

From Account No. 75-252 Repair of Equipment	75.00
---	-------

AND

To Account No. 75-726 Equipment	\$225.00
---------------------------------	----------

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-34-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-08

RESOLUTION NO. R-35-73

A RESOLUTION transferring certain funds from Account Nos. 75-241 Printing and 75-252 Repairs of Equipment in the 1973 Budget of the Weights and Measures Department.

WHEREAS, there are insufficient funds in Account No. 75-213 Travel, to cover travel expenses to various training schools throughout the state and travel to the new Weights and Measures Laboratory in Indianapolis; and

WHEREAS, there are sufficient funds in Account Nos. 75-241 Printing and 75-252 Repairs of Equipment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

From Account No. 75-241 Printing \$110.00

AND

From Account No. 75-252 Repairs of Equipment 50.00

To Account No. 75-213 Travel 160.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-35-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-09

RESOLUTION NO. R-36-73

A RESOLUTION transferring certain funds from Account No. 68-51 Insurance and 68-55 Subscription and Dues in the 1973 Budget of Minimum Housing and Relocation.

WHEREAS, there are insufficient funds in Account Nos. 68-361 Official Records, 68-362 Stationary & Printing and 68-363 Other Office Supplies, to meet the actual expenditures of 1973;

WHEREAS, there are sufficient funds in Account Nos. 68-51 Insurance and 68-55 Subscription & Dues to meet the actual expenses of 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following accounts:

From Account No. 68-51 Insurance, \$250.00 to Account No. 68-361 Official Records;

From Account No. 68-51 Insurance, \$200.00 to Account No. 68-362 Stationary & Printing;

From Account No. 68-55 Subscription & Dues, \$100.00, to Account No. 68-363 Other Office

Supplies;

and

From Account No. 68-55 Subscription & Dues, \$50.00, to Account No. 68-362 Stationary & Printing.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-36-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-20

RESOLUTION NO. R-37-73

RESOLUTION OF APPRECIATION TO WALTER G. ROEMKE.

WHEREAS, WALTER G. ROEMKE has served Fort Wayne on its Fire Department for almost 23 years; and will retire from the Fire Department of the City of Fort Wayne, Indiana effective September 1, 1973; and

WHEREAS, he was appointed to the Fort Wayne Fire Department on August 22, 1950, promoted to District Chief on January 1, 1960, and was appointed Chief of the Fire Department on January 1, 1972, and enumeration of some of his activities with said Fire Department are as follows:

During his service of nearly twenty-three (23) years he devoted his full attention to the improvement of the Fire Department. He was a member of the Indiana Fire Chief's Association and one of the Directors of its Board. He was Chairman of the committee regarding legislation of the State Fire Marshal's office. He was co-chairman of Hi-Rise legislation Committee and attended many seminars on fire fighting, sprinkler systems, etc. He was an alternate member of the committee on legislation of the International Association of Fire Chiefs. When he retires from the Department, the Department will consist of some 270 men, four (4) secretaries, fourteen (14) Engine Companies, five (5) Ladder Companies, two (2) Rescue Companies, scuba, oxygen, foam units, Fire Prevention Bureau, Training Division and Maintenance division; and

WHEREAS, during his career on the Fire Department he served under five (5) City Councils. He was extremely proud of his association with the Fire Department. He devoted substantially all of his working hours to the Fire Department and to the furtherance of its good to the benefit of the City of Fort Wayne, Indiana; and

WHEREAS, he served his country by enlisting in the U.S. Navy on March 22, 1943, having been honorably discharged as a Gunner's Mate 2nd Class on May 16, 1946. He immediately joined the U.S. Naval Reserve in Fort Wayne where he served in the Reserves until he was recalled to active duty on February 1, 1951 and again honorably discharged on May 13, 1952 as a Gunner's Mate 1st Class; and

WHEREAS, he has been a devoted husband and father and has contributed much to the civic betterment of this community; and

WHEREAS, The Common Council of the City of Fort Wayne is grateful for his service to the City of Fort Wayne during all of the time he has been a fire fighter and chief of the Fire Department.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council of the City of Fort Wayne expresses its gratitude to Walter G. Roemke for his service in leadership in the essential function of the Fire Department of the City of Fort Wayne;

2. BE IT FURTHER RESOLVED, that the best wishes of the Common Council of the City of Fort Wayne go to Chief Roemke for his continued health, happiness, and success.

3. BE IT FURTHER RESOLVED, that a copy of this resolution be spread of record in the official journal of the City Council of the City of Fort Wayne, Indiana, and that a copy of this resolution be sent to Walter G. Roemke.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-37-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-22

RESOLUTION NO. R-38-73

AN RESOLUTION transferring certain funds from
Account No. 62-264, Computer Services to Account
No. 62-265, Commission on the Status of Women.

WHEREAS, there are insufficient funds in Account No. 62-265, Commission on the Status of Women to defray various costs incurred;

WHEREAS, there are sufficient funds in Account No. 62-264, Computer Services to meet the actual expenses of 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

From Account No. 62-264 Computer Services \$2900.00

To Account No. 62-265 Commission on the Status of Women

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
NAYS: Two
Burns, D. Schmidt

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-38-72 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of The City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-01-02

ZONING MAP ORDINANCE NO. Z-09-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. EE8, DD8, EE6, DD6

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M 1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. EE8, DD8, EE6, DD6 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Northwest Quarter of Section 21, T30N, R12E, in Allen County Indiana more particularly described as follows:

Beginning at a point on East Line of the Northwest Quarter of Section 21, T30N, R12E, in Allen County, Indiana said point being 300 feet South of the Northeast corner of the NW $\frac{1}{4}$ of Section 21-30-12; thence South along the East line of the NW $\frac{1}{4}$ of Section 21-30-12 a distance of 814.74 feet; thence West and parallel to the South line of the Northeast quarter of NW $\frac{1}{4}$ of Section 21-30-12 a distance of 196.68 feet; thence South and parallel to a point on the South line of the NE $\frac{1}{4}$ of Section 21-30-12 a distance of 208.56 feet to a point on the South line of NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21-30-12, thence West along the said South Line a distance of 68.64 feet; thence North a distance of 1024 feet to a point located 300 feet South of the North line of the NW $\frac{1}{4}$ of Section 21-30-12 and 280.4 feet West of the East line of the NW $\frac{1}{4}$ of Section 21-30-12; thence East a distance of 280.4 feet to the point of beginning containing 5.47 Acres and subject to road rights of way and easements.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Chairman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-09-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Read the third time in full and on motion by Nuckols seconded by Talarico and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-09-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973 at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-03-08

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. BB4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB4, referred to therein, established by Section 9, Article III of said chapter as amended, are hereby changed accordingly, to-wit:

Lot number 22, High Banks of Dinnens Subdivision

also known as

3221 Dinnen, Fort Wayne, Indiana, Wayne Township.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

Read the third time in full and on motion by John Nuckols and seconded by Stier, and duly adopted, placed on its passage. LOST by the following vote:

AYES: Two
Burns, D. Schmidt
NAYS: Seven
Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico

DATE: June 12, 1973

Charles W. Westerman
City Clerk

BILL NO. Z-73-03-09

ZONING MAP ORDINANCE NO. Z-Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning
Map No. F7, F9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F7, F9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Approximately 147 feet by 279 feet, Part of Lot #29, except the South 1,025 feet, in J. H. Feichter Gardenvue Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilwoman

BILL NO. G-73-05-23

GENERAL ORDINANCE NO. G-13-73

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley located between Rockhill Street on the West and Union Street on the East.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by Fort Wayne Community Schools having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on March 26, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

A fourteen (14) foot public alley running parallel to Washington and Jefferson Streets and located between Rockhill Street on the West and Union Street on the East in the City of Fort Wayne, Allen County, Indiana.

SECTION 2. After passage of this ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-13-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-26

SPECIAL ORDINANCE NO. S-67-73

AN ORDINANCE approving an agreement with Bercot, Inc. for relocation of water main facilities on U.S. 30 Bypass.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved April 27, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Bercot, Inc., for construction and installation of a water main as follows:

construct and install and furnish all necessary materials for the installation of 680+ feet of 16 inch and 280+ feet of 12 inch D.I. water main and its appurtenances on the U.S. 30 by pass, from the existing 16 inch main located approximately 430 feet east of the centerline of Industrial Road, westward a distance of 870 ± feet to the existing 24 inch water main on the West side of State

Highway No. 3., and do everything required by the contract documents and this agreement.

for a total cost of \$20,546.00, \$9,999.50 paid by Utilities and the balance of \$10,546.50 to be paid by State Highway, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-67-73 on the 12th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-27

SPECIAL ORDINANCE NO. S-68-73

AN ORDINANCE approving an agreement with Industrial Piping and Engineering Corp. for revisions to Three Rivers Filtration Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved April 26, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Industrial Piping and Engineering Corp. for the erection of two clarifier mechanisms being supplied by Walker Process Equipment Company, which purchase was approved by S86-72 and for removal of existing recarbonation equipment and furnishing and installation of new, for a total cost of \$262,501.00, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: June 12, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-68-73 on the 12th day of June, 1973

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of June, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-21

SPECIAL ORDINANCE NO. S-71-73

AN ORDINANCE approving a certain bid document with NATIONAL CUSTOM COACHES, INC. for four (4) Emergency Medical Services Vehicles.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 526 dated May 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and NATIONAL CUSTOM COACHES, INC., for

4 Emergency Medical Services Vehicles - \$57,786.52

as more specifically set forth in said bid document Ref. No. 526 and Purchase Order No. 3-16456 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

BILL NO. Z-73-04-07

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. 1320 to establish a Mobile Home Park Boundary have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance be WITHDRAWN.

John Nuckols
Vivian G. Schmidt
Paul M. Burns
Donald J. Schmidt

Concurred in 6-26-73

Charles W. Westerman
City Clerk

BILL NO. G-73-06-16

GENERAL ORDINANCE NO. G-14-73

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley located running north from Dalman Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. PETITION for the vacation of a public alley by property owners having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on June 19, 1972, following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

That portion of the public alley lying between the east property line of Lot 18 in John Dalman's Addition and the west property line of Lots 14, 15, 16 and 17 of John Dalman's Addition extending from the north right-of-way line of Dalman Avenue to the south line of the east-west alley running adjacent to the north property line of Lots 17 and 18 of John Dalman's Addition, all in the City of Fort Wayne, Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONE
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-14-73 on the 26th day of June, 1973,

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-06-17

GENERAL ORDINANCE NO. G-15-73

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley located between Lot No. one (1) in the Allen Subdivision and Lot No. one (1) in Michales Addition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by property owners having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on May 21, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan As set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The seven (7) feet wide by 150 feet deep alleyway between lot number one (1) in the Allen Subdivision, address 2068 Riedmiller Avenue and lot number one (1) in Michales Addition, address 2102 Riedmiller Avenue to the City of Fort Wayne, Allen County, Indiana. The alleyway is bordered on the East by Riedmiller Avenue and on the West by an alleyway that is bordered on the North by Taylor Street and on the south by Hale Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-15-73 on the 26th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-06-29

RESOLUTION NO. R-39-73

A RESOLUTION ratifying and confirming
selection of Neighborhood Development Project
sites.

WHEREAS, the City of Fort Wayne, Department of Redevelopment has selected certain areas for implementation of the Neighborhood Development Project; and

WHEREAS, such areas were selected by the Project Area Committee after lengthy deliberation and with the opportunity to be heard having been extended to all interested persons; and

WHEREAS, such selections have been approved by the Common Council of the City of Fort Wayne, Indiana.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council hereby ratifies and confirms its action in approving such sites and resolves that development of such sites proceeds with all due speed.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Burns, Kraus, Nuckols, V. Schmidt, Talarico
Nays: Three
Moses, D. Schmidt, Stier
Absent: One
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-39-73 on the 26th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-18

SPECIAL ORDINANCE NO. S-69-73

AN ORDINANCE approving Agreement with NORTHEASTERN ENTERPRISES, INC. for construction of the Walden Addition sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement dated May 31, 1973, between NORTHEASTERN ENTERPRISES, INC. as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in the Walden Addition, Section II, as follows:

MAIN SANITARY SEWER #2:

Commencing at a proposed bulkhead more particularly described as being located 5+ L.F. east of the S.W. corner of Lot #95 of Walden Section II; thence, Northerly 5+ L.F. east of and parallel to the West P.L. of Lots #95 thru 99 inclusive, 410+ L.F., terminating at a proposed bulkhead located 5+ L.F. east of and 5+ L.F. north of the N. W. corner of Lot #99 of Walden Section II.

MAIN SANITARY SEWER #3:

Commencing at a proposed manhole "I" more particularly described as being located 35 + L.F. west of and 5+ L.F. south of the N.E. corner of Lot #120 of Walden Section II; thence, Westerly 5 + L.F. south of and parallel to the North P.L. of Lots #120 thru 128 inclusive, 635+ L.F., to a proposed manhole located 20 + L.F. west of and 5+ L.F. south of the N. E. corner of Lot #128 of Walden Section II; thence, Northerly in the right-of-way of Vance Avenue, 60+ L.F.; thence, Northerly 5+ L.F. east of and parallel to the West P.L. of Lots 164 thru 167 inclusive, 340+ L.F., terminating at a proposed manhole located 5+ L.F. east of the N. W. corner and on the North P.L. of Lot #167 of Walden Section II.

SANITARY LATERAL "D":

Commencing at a proposed manhole "D-1" more particularly described as being located 5+ L.F. east of and 5+ L.F. north of the S.W. corner of Lot #71 of Walden Section II; thence, Northerly 5+ L.F. east of and parallel to the West P.L. of Lots #71 thru 74 inclusive, 310+ L.F.; thence, Northerly in the East Right-of-way of Chelmsford Place, 75+ L.F., terminating at a manhole located 10+ L.F. west of and 10+ L.F. north of the N.W. corner of Lot #75 of Walden Section II.

SANITARY LATERAL "E":

Commencing at a proposed manhole "E-1" more particularly described as being located 5+ L.F. east of and 5+ L.F. north of the S.W. corner of Lot #83 of Walden Section II; thence, Northerly 5+ L.F. east of and parallel to the West P.L. of Lots #83 thru 88 inclusive, 390+ L.F., terminating at a manhole located 10+ L.F. east of and 15+ L.F. north of the N. W. corner of Lot #87 of Walden Section II.

SANITARY LATERAL "J":

Commencing at a proposed manhole "I" more particularly described as being located 35+ L.F. west of and 5+ L.F. south of the N.E. corner of Lot #120 of Walden Section II; thence, Northerly in the right-of-way of Vance Avenue, 55+ L.F.; thence, Northerly 5+ L.F. east of and parallel to the West P.L. of Lots #129 thru 136 inclusive, 610+L.F., terminating at a manhole located 15+ L.F. east of and 10+ L.F. north of the N.W. corner of Lot #135 of Walden Section II.

SANITARY LATERAL "V":

Commencing at a proposed manhole "V" more particularly described as being located 15+ L.F. east of and 30+ L.F. south of the N.W. corner of Lot #97 of Walden Section II; thence, Southwesterly in the right-of-way of Bristers Spring Run, 65+ L.F., thence, Southwesterly 5+ L.F. south of and parallel to the North P.L. of Lots #100 thru 108 inclusive, 645+ L.F., terminating at a manhole located 20+ west of and 20 + L.F. south of the N.E. corner of Lot #108 of Walden Section II.

the entire cost and expense of construction of said sewer to be borne by Developer, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-69-73 on the 26th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Prssiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-19

SPECIAL ORDINANCE NO. S-70-73

AN ORDINANCE approving an agreement with A GROSJEAN AND SONS for construction of an Alley between Kinnaird and Packard Avenues.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved May 14, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and A. GROSJEAN AND SONS, for construction of an alley as follows:

the alley between Kinnaird Avenue and Packard Avenue from the west property line of the first alley west of Beaver Avenue to the east property line of the second alley west of Beaver Avenue

for a total cost of \$7,687.00, \$3,074.00 paid by the City and the balance of \$4613.00 to be paid by Barrett Law, all as more particularly set forth in said contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-70-73 on the 26th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-28

SPECIAL ORDINANCE NO. S-72-73

AN ORDINANCE approving a contract with DOW
CHEMICAL COMPANY for approximately 500,000
gallons of Ferric Chloride solution.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 360 dated April 23, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and DOW CHEMICAL COMPANY, for:

Furnish approximately 500,000 gallons of
42% Ferric Chloride solution by transport
tank trucks, F.O.B. Water Pollution Control
Plant at the rate of six (6) (more or less)
truck loads each week \$5.23/cwt

as more specifically set forth in said bid document Ref. No. 360 and City Utilities Purchase Order No. 0292 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-72--73 on the 26th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-05-29

SPECIAL ORDINANCE NO. S-73-73

AN ORDINANCE approving a certain bid document with ALLIED CHEMICAL, INDUSTRIAL CHEMICAL DIVISION for 800,000 Gallons Liquid Alum.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 361 dated April 23, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ALLIED CHEMICAL INDUSTRIAL CHEMICAL DIVISION, for:

Furnish approximately 800,000 Gallons of Liquid Alum delivered by transport tank trucks F.O.B. our Water Pollution Control Plant at the rate of 10 (ten) (More or less) trucks loads per week. \$53.70 per net ton

as more specifically set forth in said bid document Ref. No. 361 and City Utilities Purchase Order No. 0293 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None
Absent: One
Hinga

Date: 6-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-73-73 on the 26th day of June, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of June, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-01

SPECIAL ORDINANCE NO. S-74-73
 AN ORDINANCE approving a certain bid document
 with Griffith's Harley-Davidson Sales & Service
 for four (4) 1973 motorcycles.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 515 dated March 13, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, for:

GRIFFITH'S HARLEY-DAVIDSON SALES & SERVICE

(4) 1973 Motorcycles, 3-Wheel Type with Rear Compartment. \$9567.10

as more specifically set forth in said bid document Ref. No. 515 and Purchase Order No. 3-15514-E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and after its passage and approval by the Mayor.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
 Nays: None
 Absent: ONE
 V. Schmidt

Date: 7-10-73 Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-74-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk Winfield C. Moses, Jr.
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-73-06-02

SPECIAL ORDINANCE NO. S-75-73

AN ORDINANCE approving a certain bid document with VAN AUSDALL & FARRAR, INC. twenty-five (25) Tape Recorders, two (2) transcribers, twenty-two (22) battery packs, and eight (8) chargers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 524 dated May 2, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, for:

VAN AUSDALL & FARRAR, INC.

(25) Sony Tape Recorders Model BM-10 Portable
 (2) Sony Transcribers Model BM-35
 (22) Battery Packs
 (8) Chargers

TOTAL COST	\$4978.69
SERVICE CONTRACT	976.00
TOTAL	\$5954.69

as more specifically set forth in said bid document Ref. No. 524 and Purchase Order No. 3-15723-E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-75-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-03

SPECIAL ORDINANCE NO. S-76-73

AN ORDINANCE approving a certain bid document with General Electric Company for ten (10) two-way mobile radios and fifteen (15) two-way mobile radios (four frequency).

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 517 dated March 15, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, for:

GENERAL ELECTRIC COMPANY

(10)	Two-way Mobile Radios, Trunk Mount, Two Frequency, Dual Squelch	\$ 8600.00
(15)	Two-way Mobile Radios, Trunk Mount, Four Frequency, Dual Squelch	14940.00
		<u>\$23540.00</u>

as more specifically set forth in said bid document Ref. No. 517 and Purchase Order No. 3-15427G which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance

No. S-76-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-04

SPECIAL ORDINANCE NO. S-77-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY TRACTOR SALES for three (3) tractors.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain bid documents Ref. Nos. 522 and 512 dated April 10, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

ALLEN COUNTY TRACTOR SALES, INC.

(1) New 1973 Model Utility Tractor with trade-in. Purchase Order No. 3-15541, Bid Ref. No. 522	\$ 4595.00
--	------------

and

(1) New 1973 Utility Tractor Purchase Order No. 3-14805	2254.00
---	---------

and

(1) New 1973 Utility Tractor Purchase Order No. 3-14805 Bid Ref. No. 512	3639.00
	<u>\$10488.00</u>

as more specifically set forth in said bid documents and said purchase orders which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Council man

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-77-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-05

SPECIAL ORDINANCE NO. S-78-73

AN ORDINANCE approving certain bid documents with RILEY LAWN AND GOLF EQUIPMENT COMPANY for three (3) golf maintenance carts and 52 tons of chemical fertilizer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain bid documents Ref. Nos. 509 and 519 dated March 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

RILEY LAWN AND GOLF EQUIPMENT CORPORATION

(3) Jacobsen Model 12 trucks
Purchase Order No. 3-15540
Bid Ref. No. 519 \$ 4725.00

and

(52) tons Chemical Fertilizer
Purchase Order No. 3-15142
Bid Ref. No. 509 \$7,676.80

as more specifically set forth in said bid documents and said purchase orders which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-78-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-23

SPECIAL ORDINANCE NO. S-79-73

AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT, INTERNATIONAL HARVESTER COMPANY and ALLEN COUNTY MOTORS for the purchase of truck and body replacements for City Utilities departments.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 317 dated May 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

Purchase Order No. CU0987 - Ernst Truck Equipment

(4) Truck Bodies 12,459.80

Purchase Order No. CU0988 - International Harvester Co.

(2) Panel Wagons 9,180.00

Purchase Order No. CU0989 - Allen County Motors

SEE ATTACHED $\frac{38,600.52}{\$60,240.32}$

as more specifically set forth in said bid document Ref. No. 317 and said purchase order numbers which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-79-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-06-24

SPECIAL ORDINANCE NO. S-80-73

AN ORDINANCE approving a certain bid document with GRAYBAR ELECTRIC COMPANY, UNION METAL MFG. CO., PREFERRED PRODUCTS SALES CO. and GENERAL ELECTRIC COMPANY for the purchase of lighting equipment inventory for Light Construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid Document Ref. No. 458 dated June 9, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

Purchase Order No. CU0831 - GRAYBAR ELECTRIC COMPANY

SEE ATTACHED 8,233.00

Purchase Order No. CU0832 - UNION METAL MFG. CO.

SEE ATTACHED 19,296.50

Purchase Order No. CUO868 - GRAYBAR ELECTRIC COMPANY

SEE ATTACHED 51,631.00

Purchase Order No. CUO869 - PREFERRED PRODUCTS SALES CO.

SEE ATTACHED 32,655.75

Purchase Order No. CUO871 - GENERAL ELECTRIC COMPANY

SEE ATTACHED 85,295.00
\$197,111.25

as more specifically set forth in said bid document Ref. No. 458 and said purchase order numbers which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-80-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-07-09

RESOLUTION NO. R-40-73

A RESOLUTION transferring certain funds
from Account No. 71-111 Services Personal
to Account No. 71-312 Fuel Oil.

WHEREAS, there are insufficient funds in Account No. 71-312 Fuel Oil to cover costs of past due invoices; and

WHEREAS, there are sufficient funds in Account No. 71-111 Services Personal.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

Account No. 71-111 Services Personal \$2,000.00

to:

Account No. 71-312 Fuel Oil

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 7-10-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-40-73 on the 10th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-07-01

~~SPECIAL ORDINANCE~~ NO. S-81-73

~~AN ORDINANCE~~ approving ~~approving~~ a certain bid document with GENERAL TRUCK SALES for one (1) 1 1/2 ton cab and chassis.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 510 dated March 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

GENERAL TRUCK SALES

(1) GMC 1973 1 1/2 ton Truck Chassis \$3900.00
as more specifically set forth in said bid document Ref. No. 510 and Purchase Order No. 3-14803 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico
Nays: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-81-73 on the 24th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-07-02

SPECIAL ORDINANCE NO. S-82-73

AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT for one (1) new 1973 Refuse Packer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref No. 511 dated March 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

ERNST TRUCK EQUIPMENT, INC.

(1) 13 yard Mighty-Pack packer \$5177.00
as more specifically set forth in said bid document Ref. No. 511 and Purchase Order No. 3-14804 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, and confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico
Nays: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-82-73 on the 24th day of July, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-07-14

RESOLUTION NO. R-42-73

A RESOLUTION transferring certain funds from Account No. 67-7-722 Motor Equipment in the 1973 Budget of the Building Department.

WHEREAS, there are insufficient funds in Account Nos. 67-7-725 Office Equipment, 67-2-241 Printing other than Office Supplies, 67-3-362 Stationery and Printing, 67-3-321 Gasoline and 67-2-252 Equipment to continue normal departmental operations; and,

WHEREAS, there are sufficient funds in Account No. 67-7-722 to meet expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

From Account No. 67-7-722 Motor Equipment \$5800.00
to the following accounts:

Account No. 67-7-725 Office Equipment	400.00
Account No. 67-2-241 Printing other than Office Supplies	600.00
Account No. 67-3-362 Stationery & Printing	400.00
Account No. 67-3-321 Gasoline	4000.00
Account No. 67-2-252 Equipment	400.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico
Nays: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-42-73 on the 24th day of July, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M.E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-07-15

RESOLUTION NO. R-43-73

A RESOLUTION transferring certain funds from Account No. 68-7-722 to various accounts in the 1973 budget of Minimum Housing.

WHEREAS, there are insufficient funds in Account Nos. 68-2-242 Publications - Legal Notices, 68-2-212 Postage, 68-3-321 Gasoline, 68-3-362 Stationary and Printing, 68-3-363 Other Supplies and 68-7-725 Office Equipment resulting in ineffective departmental operation; and,

WHEREAS, there are sufficient funds in Account No. 68-7-722 to meet expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from the following account:

From Account No. 68-7-722 Motor Equipment \$5611.00
to the following account numbers:

Account No. 68-2-252 Equipment Maintenance	100.00
Account No. 68-2-242 Publication Legal Notices	250.00
Account No. 68-2-212 Postage	500.00
Account No. 68-3-321 Gasoline	1500.00
Account No. 68-3-362 STATIONARY AND Printing	1100.00
Account No. 68-3-363 Other Supplies	350.00
Account No. 68-7-725 Office Equipment	1811.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nayes: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-43-73 on the 24th day of July, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-07-19

RESOLUTION NO. R-41-73

A RESOLUTION of the Common Council approving Grant Agreement with the Federal Government.

WHEREAS, the City of Fort Wayne, Indiana, by its Mayor, organized and existing under and by virtue of the laws of the State of Indiana (herein called the "Applicant"), has heretofore submitted an application to the United States of America, acting by and through the Secretary of Housing and Urban Development (Herein called the "Government"), for a grant under Title VII of the Housing Act of 1961, for the purpose designated in the said application; and

WHEREAS, the Government has approved the said application subject to the certain conditions, and has submitted to the Applicant a certain Grant Agreement dated as of July 16, 1973, (herein called the "grant Agreement"), for approval and execution by the Applicant, which said Grant Agreement is satisfactory.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That said Grant Agreement, which Agreement is attached hereto, be and the same is hereby approved. Mayor Ivan A. Lebamoff is hereby authorized and directed to execute this said Grant Agreement in the name and on behalf of the Applicant, in as many counterparts as necessary. The proper officer is directed to forward the said executed counterparts of the said Grant Agreement to the Government, together with such other documents evidencing the approval and authorization to execute the same as may be required by the Government.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nayes: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-41-73 on the 24th day of July, 1973.

ATTEST

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1973, at the hour of 9:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1973, at the hour of 9:05 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-06-26

GENERAL ORDINANCE NO. G-16-73

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a street, petitioned
by property owners.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street by Maumee Valley Corporation having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on June 18, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1973, of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Jefferds Avenue, in Lincoln Highway Park Addition to the City of Fort Wayne, Indiana, beginning on the west line of Fairview Avenue, in said City, at the southeast corner of Lot 132 in said Addition; thence west along the south line of said Lot 132, and continuing west along the south line of the vacated alley between Lot 132 and Lot 155 in said Addition, and further continuing west along the south line of said Lot 155 to the northeasterly right-of-way line of the public highway known as U.S. #24 and #30; thence southeasterly along said right-of-way line to the north line of Lot 66 in said Addition; thence east along the north line of said Lot 66, and continuing east along the north lines of Lots 67, 68 and 69, in said Addition, to the northeast corner of said Lot 69; thence north, along the west line of said Fairview Avenue, to the place of beginning,

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly verified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-16-73 on the 24th day of July, 1973.

Attest

(Seal)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-07-04

GENERAL ORDINANCE NO. G-17-73

AN ORDINANCE approving a project of the Authority of the City of Fort Wayne to purchase single family homes from FHA for rehabilitation, rental and sale to low income families and approval of a loan of \$200,000.00 to be repaid by the Housing Authority and guaranteed by the City of Fort Wayne.

WHEREAS, the Housing Authority of the City of Fort Wayne desires to initiate a project of purchasing repossessed single family residences from the Federal Housing Authority at favorable prices for rehabilitation, where necessary, for rental and/or resale to low income families in the City of Fort Wayne, Indiana, and

WHEREAS, the Housing Authority of the City of Fort Wayne Indiana will be able to borrow the sum of \$200,000.00 to fund said project at a favorable annual interest rate of not more than 5.75% to be repaid over a twenty (20) year period if said loan is guaranteed by the City of Fort Wayne, and

WHEREAS, approval must be given by the governing body of the City for any financial assistance given by the City to the Housing Authority pursuant to the Indiana "Housing Cooperation Act", and

WHEREAS, approval must first be given by the governing body of the City for any Housing Authority project initiated under the Indiana "Housing Authorities Act",

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the project of the Housing Authority of the City of Fort Wayne, Indiana, to repossessed single family residences from the Federal Housing Administration for rehabilitation, where necessary, for rental and/or resale to low income families to the City of Fort Wayne, Indiana is hereby approved.

SECTION 2. That a loan to fund said project by the Housing Authority of the City of Fort Wayne, Indiana, in the sum of \$200,000.00 at an annual interest rate of not more than 5.75% to be repaid by said Authority over a twenty (20) year period, with payment guaranteed by the City of Fort Wayne, Indiana, is hereby approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V.Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: Three
Burns, Moses, D.Schmidt
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-17-73 on the 24th day of July, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-07-05

SPECIAL ORDINANCE NO. S-83-73

AN ORDINANCE approving Board of Public Works Resolution No. 59-294-8 for payment to Nobis-Westropp of \$53,626.07, of which \$16,168.53 shall be in Barrett bonds.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the Board of Public Works, adopted June 28, 1973, to pay Nobis-Westropp the sum of \$53,626.07, of which \$16,168.53 shall be in Barrett bonds for work performed on the "Goshen Road-Burma Road Sanitary Sewer; all as more particularly set forth in Board of Public Works Resolution No. 59-294-8 and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None
Absent: None

Date: 7-24-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-83-73 on the 24th day of July, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of July, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-07-11 (Amended)

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance- AN AMENDED SPECIAL ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, department and institutional head of the City of Fort Wayne, Indiana for the year 1974 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

William T. Hinga
John Nuckols
James S. Stier
Samuel J. Talarico

Concurred in 7-31-73

Charles W. Westerman
City Clerk

BILL NO. S-73-07-11 (Amended)

AMENDED SPECIAL ORDINANCE NO. S-84-73

AN AMENDED SPECIAL ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1974.

WHEREAS, historically the salaries of the employees of the City of Fort Wayne have been determined arbitrarily without careful attention being paid the duties performed by the individual employees, and in some instances on the basis of personality rather than job responsibility and performance; and

WHEREAS, this situation has resulted in a salary schedule which is riddled with inequity and injustice and, because there has been no careful analysis of the duties of the various employees, this situation has also resulted in the employment of more persons than are required for the efficient functioning of the government of the City of Fort Wayne; and

WHEREAS, the manner in which the salary schedule has been administered has produced a situation detrimental to the City of Fort Wayne in that it has become increasingly difficult to recruit and retain superior personnel, morale and job performance are adversely affected; and salary costs are unnecessarily high insofar as they reflect the employment of unnecessary personnel; and

WHEREAS, an independent committee of Fort Wayne businessmen, denominated as the Salary Review Committee, has conducted an evaluation of the duties performed by each and every employee of the City and of the degree of responsibility exercised in the performance of such duties; and

WHEREAS, said Committee has further conducted an analysis of the duties and responsibilities imposed upon certain employees of the City by statute; and

WHEREAS, such evaluation and analysis have enabled the Mayor of the City of

Fort Wayne to, and the Mayor in fact has, prepared a classification of the position of each employee of the City, which classification is based solely upon the aforesaid evaluation and analysis and which has resulted in a system of classification based solely upon objective factors and without regard to personalities and

WHEREAS, within each such classification there is a schedule of salary ranges which permits an even greater degree of objectivity in fixing salaries by permitting recognition to be given to such factors as the individual employee's experience, special skills and the like; and

WHEREAS, the Mayor of the City of Fort Wayne has fixed the salary of each employee of the City of Fort Wayne according to the aforesaid classification, the result being, a salary schedule which accurately and objectively reflects the duties and responsibilities of said employees and which is fair and equitable and which provides an incentive for persons to seek employment by the City and to remain in such employment once attained.

WHEREAS, the funds for such salaries are to be provided from the 1974 City Budget and other such sources as may be specified by Council.

THEREFORE, be it ordained by the Common Council of the City of Fort Wayne, That:

SECTION 1. That from and after the first day of January, 1974, the following appointive officers, employees, deputies, assistants, departmental and institutional heads of the City of Fort Wayne shall be paid according to the following schedule of salary ranges and position classifications, subject to budgetary provisions and the City's official Salary Administration Plan:

SCHEDULE OF SALARY GRADE

<u>Grade</u>	<u>Fixed</u>
1	\$ 6,500
2	7,100
3	7,650
4	8,200
5	8,850
6	9,500
7	10,200
8	10,990
9	11,800
10	12,700
11	13,600
12	14,600
13	15,700
14	16,800
15	18,000
16	19,250
17	20,600
18	21,900
19	22,400
20	22,500

748

The following paragraphs outline classification groupings based upon common areas of skill and responsibility, and the criteria for assigning positions within a grouping to a specific pay grade:

CLASSIFICATION GROUPINGS

- I. Management and Finance
 - Executive Staff
 - Administrative Assistants
 - Department Management and Assistants
 - Finance Operations
 - Budgeting and Accounting
 - Accountant
 - Specialist
 - Bookkeeper
 - Accounting Clerk
 - Purchasing
 - Legal
 - Parks and Recreation
- II. Engineering and Allied
 - Engineering Management
 - Professional Engineers
 - Sub-Professional Engineers
 - Draftsmen
 - Survey Parties and Inspectors
 - Data Processing Specialists
- III. Public Safety
 - Fire
 - Police
 - Weights and Measures
 - Emergency Preparedness
- IV. Office and Clerical
 - Office Managers
 - Executive Secretary
 - Secretary A
 - Secretary B
 - Stenographer A
 - Stenographer B
 - Clerk Typist A
 - Clerk Typist B
 - General Clerk A
 - General Clerk B
 - Receptionist

V. Public Services
 Utilities
 Street Department

749

VI. Trades, Crafts and Labor
 Building Trades
 Machine Shop Trades
 Electrical Trades
 General Maintenance/Custodial and Labor

EXPLANATION OF CLASSIFICATION GROUPINGS

For all jobs within the City job structure - Civil City and City Utilities - there are six basic, broad groupings into which any job would fall. These classification groupings and explanations are:

I. Management and Finance

This group would include jobs such as those of Members of the Executive Staff, Administrative Assistants, Department Heads and their Assistants (except those specifically excluded by inclusion in the other five groups), workers primarily involved in Financial Operations (including budgeting, accounting, and bookkeeping), and management and staff members of Purchasing, Legal and Park departments.

Since this grouping includes the Mayor and any staff member included in the above functions but not excluded by inclusion in one of the other five groupings, its range is from grade 20-4.

II. Engineering and Allied

This group would include engineering-type jobs in both the management and staff of engineering departments and any engineering-type staff functions in non-engineering departments. Such functions would be professional and para-professional engineers, draftsmen, members of survey parties, inspectors of city facilities or structures or property covered by City Ordinances, and members of data processing teams.

Since this grouping is limited to persons with specialized knowledge which is limited to a specific field, its range is from grade 16-6.

III. Public Safety

This group would include staff and management jobs within such departments as Police, Fire, Communications, Weights and Measures, and Civil Defense, and any job within any other departments - such as the Humane Shelter and the Park Department - when the job is primarily concerned with public safety.

Since this grouping includes such highly specialized and demanding jobs as the Chiefs of Fire and Police and also some jobs that have little demand, such as Kennel Worker, its range is from grade 17-3.

IV. Office and Clerical

This group would include only those workers who function as Office Managers, Secretaries, Stenographers, Clerk Typists, Clerks or Receptionists.

Since this grouping is so limited and normally lacking in great demand, its range is from grade 7-1.

750

V. Public Services

This group is limited specifically to certain kinds of City Utilities jobs. Therefore, it includes no Civil City jobs.

VI. Trades, Crafts and Labor

This group would include a variety of jobs in which work is done primarily by skill or sweat. It would include such areas as Building Trades, Machine Shop Trades, Electrical Trades, Custodial Work, and General Repair, Maintenance and Labor.

Since this grouping includes some highly skilled and responsible jobs such as Traffic Engineering's Sign and Marking Supervisor but primarily jobs that demand very little, its range is from grade 12-1.

CRITERIA FOR RATINGS
Grades 1 thru 20

GROUPING I: Management and Finance

The top three grades (20-19-18) are reserved for those City Administration officials - management or staff - whose decisions or counsel normally would affect the operation of at least a major portion of City manpower and resources utilization or the administration of at least a major service to the City, affecting all City residents and their well-being.

20: Reserved for the top administrative officials in City management.

19: Reserved for officials whose responsibilities and decisions affect practically all City operations and services and thereby the well-being of practically all City residents.

18: Reserved for officials whose responsibilities, decisions, and counsel affect practically all City operations and services - but whose decisions and counsel are channeled through at least one official in either Grade 20 or 19.

Grades 17 and 16, in addition to Grades 20 - 19 - 18, are reserved for heads of major departments or assistants whose responsibilities, decisions and counsel affect practically all City operations and services. Grade 17 and 16 are reserved for officials whose decisions and counsel are channeled through at least one official in either Grade 19 or 18.

17: Official whose expertise in a specific area significantly affects a majority of City operations and services.

16: Official whose expertise in a specific area significantly affects a specific major function within City operations and services.

Grades 15 and below: No major department heads.

Grades 15 - 14 - 13 are reserved for assistants to major department heads, whose specialized knowledge enables them to serve in a special function to the City, with responsibilities which can affect many City operations and services.

15: Assistant to a major department head, with decision-making responsibilities that will affect a major segment of City operations and services.

751

14: Assistant to a major department head, with advisory responsibilities that can affect a major segment of City operations and services.

13: Assistant to a major department heads, with advisory and/or service responsibilities that can affect many City operations and services.

Grades 12 - 11 - 10 - 9 are reserved for intermediate assistants to department heads, whose specific knowledge or skills enables them to serve in a technical or special service function primarily to their respective departments and secondarily to the City in general.

12: General knowledge enables them to assist in their departments in a primarily technical capacity. Responsibilities can affect many City operations and services.

11: General knowledge or skills enables them to assist in their departments in coordinating general technical functions of other employees.

10: General knowledge or skills enables them to assist in their departments in coordinating minor technical functions of other employees and/or in performing intermediate technical or special service functions.

9: Specialized skills enables them to assist in their departments in coordinating minor non-technical functions of other employees and/or in performing general technical or service functions.

Grades 8 - 7 - 6 - 5 - 4 are reserved for staff members who generally assist in departmental functions and who have specific skills primarily in minor technical or intermediate service areas. Any supervision or coordination of the activities of others would be restricted to general coordination of the activities of non-employees.

8: Skills enable them to assist in their departments in performing general technical or service functions.

7: Skills enable them to assist in their departments in performing semi-routine technical functions.

6: Skills enable them to assist in their department in performing routine technical functions.

5: Skills enable them to assist in their departments in performing intermediate service functions.

4: Skills enable them to assist in their departments in performing general service functions.

Grade U (Unclassified) is reserved for professionals who work for and earn part-time salaries.

GROUPING II: Engineering and Allied

Engineering and Related Job Descriptions, Compared

- 16: Engineering Management - Administers municipal structure or facility planning,
 15: construction and maintenance programs. Coordinates activities of various

752

engineering groups within a department. Reviews plans, locations, contracts and cost estimates for technical and legal accuracy. Approves acceptable proposals and makes corrective recommendations. Directs research, formulates engineering policies and procedures, and oversee preparation of budget. Directs members of department in preparation of reports. Minimum requirements: pertinent college degree and 5 years of pertinent experience, and a professional engineer's license where required by law.

14: Project Engineer - Specializes in an important phase of the administration of municipal structure or facility planning, design, construction and maintenance. Oversees an engineering group which plans, designs, constructs, or maintains structures or facilities, or coordinates the activities of more than one of these groups. Minimum requirements: pertinent college degree and 1 year of pertinent experience.

12: Junior Engineer - Specializes in an important phase of the planning, design, construction, or maintenance of municipal structures and facilities. Has broad engineering knowledge that enables him to assist others in department, particularly within his own group. (May serve as a minor coordinator of a specialized engineering skill area between more than one group. May oversee a small group, if educational requirement is not met but experience requirement is met.) Minimum requirements: a pertinent college degree or equivalent experience.

11: Data Programmer - Analyzes and defines programs for data processing equipment. Is generally competent in most phases of programming to work on his own, and requires only general guidance. Develops diagrams and machine logic flow charts, and codes and prepares test data. Revises and refines programs as required and documents all procedures used while programming. Minimum requirements: has pertinent technical school certificate or has 2 years of pertinent experience.

10: Engineering Technician - Specializes in a technical skill area within the planning, design, construction, or maintenance of municipal structures or facilities. Has basic engineering knowledge, specifically in his specialty area. Does not oversee the work of any group. Minimum requirements: has pertinent 2 year technical school certificate or is working towards a pertinent college degree or has 3 years of pertinent experience.

10: Draftsman - Prepares clear, complete and accurate working plans and detail drawings from rough or detailed sketches or notes for engineering purposes, according to specified dimensions. Makes final sketches. Checks dimensions and materials. Exercises manual skill with all drafting tools. Utilizes knowledge of various engineering practices, mathematics, materials, and other physical sciences and legal references. Minimum requirements: has pertinent technical school certificate or has 2 years of pertinent experience.

9: Data Processing Technician - Operates computers utilizing established programs or programs under development. Loads computers and manipulates controls on console in accordance with programmed instructions. Observes functioning of equipment, detects nature of errors or equipment failure, and makes adjustments to console. Maintains operating records making minor program changes and maintenance of statistical computations. Minimum requirements: has pertinent technical school certificate or has 1 year of pertinent experience.

9: Survey Technician A - Surveys earth's surface. Oversees engineering survey party engaged in determining exact location and measurements of points, elevations,

753

lines, areas, and contours of earth's surface to secure data used for construction, mapmaking, land valuation, etc. Keeps accurate notes, records and sketches of work performed. Uses surveying instruments and verifies by calculations the accuracy of survey data secured. Otherwise known as Instrument Man. (May direct Survey Technician B in adjusting surveying instruments.) Minimum requirements: has 1 year of pertinent experience.

9: Inspector A - Inspects work and materials used in municipal engineering projects. Oversees an inspection team engaged in determining adherence to laws and codes and the quality of workmanship and materials used, and in checking to see that engineering specifications are adhered to. Keeps records and notes on all inspections, and files reports. (May direct Inspector B in various inspection duties, including laboratory or workbench testing or analysis.) Minimum requirements: has 1 year of pertinent experience.

8: Survey Technician B - Assists Survey Technician A in surveying earth's surface to secure data for construction, mapmaking, land valuation, etc. Holds or moves rod or target on rod, following hand or verbal instructions, to establish exact point required. Writes station number and reading in notebook. Uses steel or cloth tape or chain to measure distance. Marks measuring points. Carries and drives stakes. Otherwise known as Rodman and/or Chainman.

8: Inspector B - Under direction from Inspector A, inspects work and materials used in municipal engineering projects. Assists in determining adherence to laws and codes and the quality of workmanship and materials used. Checks to see that engineering specifications are adhered to. Keeps records and notes on all inspections, and files reports. (May perform laboratory or workbench testing or analysis.)

8: Junior Draftsman - Prepares most, but not all, of the duties listed for Draftsman; but does not work under the direction of an engineer. Minimal schooling and experience required.

6: Technical Aide - Basic entry level category in engineering operations. Must have a high school education. No experience necessary. Assists all categories in routine engineering operations.

GROUPING III: Public Safety

17: The Chief of a major public safety department.

16: A Chief's uniformed first chief assistant who is second in command in a major department.

15: A Chief's uniformed second chief assistant who is responsible for regular projects, or a first chief assistant (second in command) in a supporting department.

14: Head of (non-uniformed) public safety department which coordinates other departments' functions, or a Chief's uniformed second chief assistant who is responsible for special as opposed to regular projects.

13: Unfilled.

12: Uniformed officer holding fourth rank within department, and having specialized function over one area of public safety.

754

11: Uniformed officer holding third rank within department, or director of department where there are no rankings.

10: Uniformed officer holding second rank within department, or assistant to department director where there are no rankings. Or non-uniformed, skilled work requiring considerable technical knowledge.

9: Uniformed officer holding first rank within department, or having special function without rank.

8: Uniformed officer holding no specific rank.

7: First six-month category for uniformed officers.

6: Skilled work directly related to public safety. Non-uniform. Requiring intermediate technical knowledge.

5: Trainee category for uniformed jobs.

4: Semi-skilled work directly related to public safety. Non-uniform. Requiring minimum technical knowledge.

3: Semi-skilled work indirectly related to public safety. Non-uniform. Requiring minimum technical knowledge.

GROUPING IV: OFFICE AND CLERICAL.
Clerical and Related Job Descriptions, Compared.

7: Office Manager - Supervises and coordinates the activities of a clerical staff in a department. Prepares work schedules and expedites workflow. Reviews work performed. Estimates office budget and inventory needs, and purchases supplies. Prepares records and reports. (May assist in all phases of clerical work, such as typing, taking dictation, filing, etc.) Should have at least the same typing and shorthand speeds as a Secretary A.

7: Executive Secretary - Maintains official city records. Prepares memorandums outlining and explaining administrative procedures and policies for supervisors. Handles details in arranging for conferences. Performs all the duties of a Secretary A. (May direct clerical workers as would an Office Manager.) Should have at least the same typing and shorthand speeds as a Secretary A.

6: Secretary A. - Performs all duties of Secretary B, Stenographer A, and Receptionist. Normally is personal secretary to major department head. (May be senior secretary in a department with more than one secretary.) Minimum required speeds: 65 w.p.m. in typing; 100 w.p.m. in shorthand.

5: Secretary B - Schedules appointments, greets visitors, gives information to callers, takes and transcribes dictation, and otherwise relieves officials of clerical work and minor administrative and business details. Performs all duties of Clerk Typist A and Receptionist. Minimum required speeds: 55 w.p.m. in typing; 70 w.p.m. in shorthand.

5: Stenographer A - Takes dictation in shorthand of specialized correspondence and reports and transcribes dictation, using typewriter. Performs all duties of Clerk Typist A. (May transcribe material from sound recordings. May perform duties of Receptionist.) Minimum required speeds: 65 w.p.m. in typing; 100 w.p.m. in shorthand.

4: Stenographer B - Takes dictation in shorthand of general correspondence and reports and transcribes dictation, using typewriter. Performs various duties of Clerk Typist B and Clerk A. (May perform duties of Receptionist.) Minimum required speed 55 w.p.m. in typing; 70 w.p.m. in shorthand.

3: Clerk Typist A - Performs systematic clerical work requiring use of typewriter in majority of duties. Performs duties of Clerk Typist B and Clerk A. Computes amounts using adding machine or calculator. (May take some dictation. May perform duties of Receptionist.) Minimum required speeds: 55 w.p.m. in typing; no shorthand required.

2: Clerk Typist B - Performs general clerical work requiring use of typewriter in majority of duties. Compiles and types reports, bills application forms, etc. File records and reports, posts information to records, sorts and distributes mail, and answers telephone. Minimum required speeds: 40 w.p.m. in typing; no shorthand required.

2: Clerk A - Performs variety of following and similar clerical duties, requiring knowledge of systems and procedures: copies data. Compiles records and reports. Computes wages and payments. Records orders for merchandise or service. Gives information to claimants, employees, and the public. Receives, counts and pays out cash. Prepares and sends out receipts, bills, invoices, statements and checks. Prepares office inventory. Opens and routes mail.

1: Clerk B - Performs any combination of following and similar clerical tasks, not requiring knowledge of systems and procedures: Writes or types bills, receipts, checks, etc. Copies information from one record to another. Sorts and files records. Addresses envelopes. Answers telephone and conveys messages.

1: Receptionist - Receives clients or public coming into department. Ascertains their wants, and directs them accordingly. Obtains visitor's name, records it and time of visit. (May make appointments and answer general questions. May perform some filing and typing. May distribute mail and messages.)

GROUPING V: Public Services

This grouping has been reserved for jobs specifically related to City Utilities functions, and therefore it does not figure in Civil City job classifications.

GROUPING VI: Trades, Crafts and Labor

12: Skilled labor requiring considerable technical knowledge and skill, considerable specialized schooling in a craft or trade, and the ability to supervise and coordinate the activities of more than one group of workers - some skilled, some semi-skilled and some unskilled.

11: Skilled labor requiring considerable technical knowledge and skill, considerable specialized schooling in a craft or trade, and the ability to supervise a group of skilled workers.

10: Skilled labor requiring considerable technical knowledge and skill, and considerable specialized schooling in a craft or trade.

9: Skilled labor requiring considerable technical knowledge and skill, and some specialized schooling in a craft or trade.

756

- 8: Skilled labor requiring considerable technical knowledge and skill.
- 7: Skilled labor requiring some proven technical knowledge and skill, or semi-skilled labor requiring considerable skill.
- 6: Skilled labor requiring either some proven technical knowledge and enough experience to supervise a small group of unskilled laborers, if required.
- 5: Semi-skilled labor requiring some proven technical, but not supervision would ever be required.
- 4: Apprenticeship grade for jobs requiring skilled labor.
- 3: Semi-skilled labor requiring a proven degree of responsibility.
- 2: Unskilled labor requiring a proven degree of responsibility.
- 1: Unskilled or semi-skilled labor performed under close supervision.

THEREFORE, as stated in paragraph 1 Section 1, pay for each and every position is fixed at the maximum salary for the corresponding pay grade in accordance with the criteria established above.

CIVIL-CITY
JOBS BY GROUPING & BY GRADE

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>GRADE</u>
<u>GROUPING I: Management & Finance</u>		
Mayor's Office	Mayor	20
Controller's Office	Controller	19
Board of Works	Chairman	19
Board of Safety	Director	19
Mayor's Office	Administrative Assistant	18
Department of Community Development & Planning	Director, Community Development & Planning	18
Board of Works	Member of Board - Human Resources Director	18
Board of Works	Member of Board - City Engineer	18
Park Department	Director, Parks & Recreation	18
Board of Aviation	Airport Manager	18
Redevelopment Commission	Executive Director	18
Controller's Office	Deputy Controller	17
Police	Legal Advisor	17
City Plan	Senior Planner	17
Metro Human Relations Commission	Executive Director	17
Human Resources	Deputy Director	17
Street Department	Street Commissioner	16
Park Department	Deputy Director	16

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>GRADE</u>
City Clerk's Office	City Clerk	16
Purchasing	Director	16
City Plan	Land Use Administrator	15
Street Department	Assistant Street Commissioner	15
Board of Works	Administrative Assistant	15
Board of Safety	Administrative Assistant	15
Park Department	Assistant Director, Parks	15
Park Department	Assistant Director, Recreation	15
Controller's Office	Administrator, Federal Funds	14
Purchasing	Assistant Purchasing Dir.	14
City Plan	Associate Planner	14
Human Resources	EEO Officer	14
Board of Aviation	Administrative Assistant	14
Redevelopment Commission	Urban Renewal Planner	14
Metro Human Relations Commission	Deputy Director	13
Park Department	Zoo Director	13
Parking Administration	Parking Administrator	13
Board of Works	Director, Citizens Assistance	13
Board of Aviation	Business Manager	13
Redevelopment Commission	Administrative Assistant	13

Purchasing
 Controller's Office
 City Plan
 City Plan
 Redevelopment Commission
 Park Department
 City Plan
 Board of Works
 Purchasing
 Metro Human Relations Commission

Park Department
 Human Resources

Human Resources
 City Plan
 Park Department
 Human Resources
 Board of Aviation
 Human Resources

Controller's Office
 Park Department
 City Clerk's Office
 Controller's Office
 Controller's Office
 Human Resources
 Park Department
 Board Of Works

Senior Buyer	12
Cost Accountant	12
Zoning Administrator	12
Assistant Planner	12
Project Site Coordinator	12
Supervisor A	11
Project Technician	11
Clerk to Board	11
Buyer	10
Human Relations Represent-	
ative	10
Supervisor B	10
Citizen Participation	
Specialist	10
Program Assistant	10
Ass't. Project Technician	10
Supervisor C	9
Veterans' Services Officer	9
Terminal Area Supervisor	8
Ass't. Citizens Participation	
Specialist	7
Bookkeeping Machine Operator	7
Bookkeeper & Office Manager	7
Deputy City Clerk	6
Payroll Clerk	6
Accounting Clerk	6
Training Coordinator	5
Recreation Leader A	5
Assistant, Citizens Assist-	
ance	5

DEPARTMENTPOSITIONGRADE

Park Department
 Board Of Safety
 City Attorney's Office
 City Controller's Office
 City Attorney's Office
 City Clerk's Office

Recreation Leader B	4
Member of the Board	U
Associate City Attorney	U
Councilman	U
City Attorney	U
City Council Attorney	U

GROUPING II: Engineering & Allied

Street Engineering
 Traffic Engineering
 Street Engineering
 Traffic Engineering
 Street Engineering
 Police
 Street Engineering
 Traffic Engineering
 Traffic Engineering
 Street Engineering
 Traffic Engineering
 Street Engineering
 Street Engineering
 Redevelopment Commission
 Traffic Engineering
 Board Of Works
 Street Engineering
 Permit Department
 Street Engineering
 Street Engineering
 Street Engineering
 Permit Department
 City Plan
 Street Engineering
 Permit Department

Street Engineer	16
Traffic Engineer	16
Ass't. Street Engineer	15
Ass't. Traffic Engineer	15
Project Engineer	14
Chemist	14
Junior Engineer	12
Junior Engineer	12
Data Programmer	11
Engineering Technician	10
Engineering Technician	10
Laboratory Technician	10
Draftsman	10
Draftsman	10
Data Processing Technician	9
Inspector A	9
Inspector A	9
Inspector A	9
Survey Technician A	9
Survey Technician B	8
Inspector B	8
Inspector B	8
Junior Draftsman	8
Technical Aide	6
Permit Engineer (Part-time)	U

GROUPING III: Public Safety

Communications
 Fire Department
 Police
 Fire Department
 Police
 Communications
 Fire Department

 Fire Department

 Fire Department

 Fire Department

Superintendent	17
Fire Chief	17
Chief of Police	17
Combat Chief	16
Deputy Chief	16
Ass't. Superintendent	15
Ass't. Chief, Combat	
Division	15
Ass't. Chief,	
Administrative Assistant	15
Ass't. Chief,	
Fire Prevention Chief	15
Ass't Chief,	
Chief of Training Division	15

759

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>GRADE</u>
Police	Inspector	14
Emergency Services	Coordinator	14
Emergency Medical Service	Coordinator	14
Communications	Chief of Dispatch	12
Fire Department	Arson Chief	12
Fire Department	District Chief	12
Humane Shelter	Manager	12
Police	Captain	11
Fire Department	Platoon Captain	11
Board of Aviation	Chief, Fire Crash Rescue and Security	11
Weights & Measures	Inspector	10
Communications	Lieutenant	10
Communications	Senior Technician	10
Police	Lieutenant	10
Fire Department	Captain	10
Fire Department	Fire Prevention Captain	10
Fire Department	Captain, Mechanic	10
Fire Department	Captain, Training	10
Board of Aviation	Lieutenant, Fire Crash Rescue and Security	10
Communications	Radio Technician	9
Communications	Sergeant	9
Police	1st Sergeant	9
Police	Detective Sergeant	9
Police	Patrol Sergeant	9
Police	Desk Sergeant	9
Humane Shelter	Special Humane Officer	9
Fire Department	Lieutenant	9
Parking Administration	Parking Control Officer	8
Communications	Dispatcher	8
Fire Department	Firefighter	8
Police	Patrolman	8
Park Department	Park Service Officer	8
Humane Shelter	Humane Officer	8
Board of Aviation	Firefighters, Fire Crash Rescue and Security	8
Communications	Dispatcher (1st 6 months)	7
Fire Department	Firefighter (1st 6 months)	7
Police	Patrolman (1st 6 months)	7
Emergency Medical Service	Technician	6
Weights and Measures	Assistant Inspector	6
Communications	Trainee	5
Board of Aviation	Security Guard	4
Humane Shelter	Clerk - Dispatcher	3
Humane Shelter	Kennel Worker	3

GROUPING IV: Office and Clerical

Mayor's Office	Executive Secretary	7
Controller's Office	Executive Secretary	7
Police	Office Manager (Civilian)	7
Purchasing	Secretary A	6

760

<u>DEPARTMENT</u>	<u>POSITION</u>	<u>GRADE</u>
Human Resources	Secretary A	6
Metro Human Relations Commission	Secretary A	6
Board of Works	Secretary A	6
Street Engineering	Secretary A	6
Board of Safety	Secretary A	6
Communications	Secretary A	6
City Plan	Secretary A	6
City Attorney's Office	Secretary A	6
Mayor's Office	Secretary B	5
Board of Works	Minute Record Clerk	5
Street Engineering	Secretary B	5
Street Department	Secretary B	5
Fire Department	Secretary B	5
Police	Secretary B	5
Traffic Engineering	Secretary B	5
Permit Department	Secretary B	5
Park Department	Stenographer A	5
City Clerk's Office	Secretary B	5
Board of Aviation	Secretary B	5
Redevelopment Commission	Secretary B	5
Park Department	Stenographer B	4

Mayor's Office	Clerk Typist A	3
Purchasing	Clerk Typist A	3
Emergency Services	Clerk Typist A	3
Board Of Works	Clerk Typist A	3
Police	Clerk Typist A	3
Park Department	Clerk Typist A	3
City Plan	Clerk Typist A	3
Purchasing	Clerk Typist B	2
Purchasing	Clerk A	2
Board of Works	Clerk Typist B	2
Street Department	Clerk Typist B	2
Traffic Engineering	Clerk Typist B	2
Park Department	Clerk Typist B	2
Humane Shelter	Clerk A	2
City Clerk's Office	Clerk A	2
Park Department	Clerk B	1

GROUPING V: Public Services

None - Reserved for City Utilities Positions

GROUPING VI: Trades, Crafts & Labor

Traffic Engineering	Sign & Marking Supervisor	12
Traffic Engineering	Signal Foreman	11
Traffic Engineering	Signal Electrician	10
Board of Aviation	Water Filtration and	
	Softener Plant Supervisor	10
Traffic Engineering	Signal Apprentice A	8
Police	1 st Class Mechanic	8
Traffic Engineering	Painter 1st Class	7
Board of Aviation	Water Filtration and	
	Softener Plant Operator	7

761

DEPARTMENT	POSITION	GRADE
Traffic Engineering	Signal Apprentice B	7
Parking Administration	Repair & Maintenance Man	6
Police	2nd Class Mechanic	6
Board of Works	Truck Driver	6
Traffic Engineering	Painter 2nd Class	5
Police	Mechanic's Helper	5
Police	Wash & Gas Man	3
Traffic Engineering	Painter 3rd Class	3
Board of Works	Laborer	3
Parking Administration	Attendant	2
Traffic Engineering	Painter 4th Class	1

SECTION 2. There is hereby established a Salary Review Board, which Board shall consist of the Mayor of the City of Fort Wayne, the Controller of the City, the Personnel Director of the City, the Finance Committee of the Common Council of the City, the threemembers of the aforesaid Salary Review Committee and a representative of the news media. The Personnel Director of the City shall serve as ex officio chairman of said Salary Review Board and shall call meetings of the Board from time to time as the business of said Board requires. The Mayor shall select the representative of the news media who shall attend each meeting of said Board and he may select a different representative for each meeting. Said representative may take part in the discussions of said Board but shall have no vote.

The Salary Review Board shall a) establish any and all sub-classifications within classifications 11 through 20; b) approve all compensation fixed by this 1974 Salary Ordinance; and c) approve any future increases in the compensations fixed herein. There shall be no such sub-classifications established, no compensation fixed herein, and no increases in the compensation fixed herein unless such action has the approval of the majority of the members of said Council Finance Committee or their valid proxy at the meeting of said Salary Review Board where such action is taken. The person holding the proxy of a member of said Finance Committee shall be a member of the Common Council selected by the member of said Finance Committee who is absent.

All meetings shall be held after 7:00 P.M. for each meeting, and notice of each meeting shall be given in writing to the City Clerk by said Personnel Director or Chairman so as to reach said City Clerk at least 48 hours prior to each said meeting.

SECTION 3. That from and after the first day of January, 1974, the yearly compensation of the Parking Administrator, shall be paid bi-weekly installments: seventy (70) percent shall be paid from the Parking Meter Fund, and thirty (30) percent shall be paid from the City Parking Garage.

SECTION 4. All sworn officers, up to and including Captains, regularly assigned to "B" and "C" shifts of the Fort Wayne Police Department, shall receive a shift differential as follows:

1. Those regularly assigned to "B" shift, or any shift beginning between 12 Noon and 3:00 P.M., shall have added to their regularly determined earnings 5% of the base patrolman's salary for such pay period.
2. Those regularly assigned to "C" shift, or any shift beginning between 9:00 P.M. and 12 Midnight, shall have added to their regularly determined earnings 10% of the base patrolman's salary for such pay period.

Those eligible for the shift differential shall not include patrolmen with less than six months seniority, civilian employees, any officers regularly assigned to the Communications Department, or the Department of Traffic Engineering.

In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Section 48-6403, be considered as including the shift differential for police pension purposes.

SECTION 5. All sworn personnel of the Fort Wayne Police Department being regularly employed as police officers shall receive a monetary incentive for successfully completing courses at an accredited college or university as follows:

1. From 1-60 semester hours, or 1-90 quarter hours, the officer shall receive a bonus of \$10 per year for every semester or quarter hour completed.
2. In excess of 60 semester hours or 90 quarter hours, the officer shall receive a bonus of \$10 per year for every semester hour completed.
3. An additional bonus of \$300 per year shall be granted to all officers receiving a four-year baccalaureate degree or its equivalent. Those receiving a two-year associate degree or its equivalent, shall receive a bonus in the amount of \$150. In no case shall the bonus for an earned degree exceed \$300, or a total bonus for any one officer exceed \$1,500.
4. Those attending police-oriented seminars, conferences, institutes, or schools shall receive $\frac{1}{2}$ semester hour or $\frac{3}{4}$ quarter hour of credit upon successful completion of the course.

The bonuses shall be added to the officer's regularly determined earnings. In no event shall the base salary of a first class patrolman, within the meaning of Burns Indiana Statutes Annotated Section 48-6403, be considered as including the educational bonus for police pension purposes.

Those eligible for the educational incentive program shall not include officers regularly assigned to the Communications Department or the Department of Traffic Engineering.

SECTION 6. All sworn personnel of the Fort Wayne Police and Fire Departments being regularly employed as police officers, firefighters and all communication officers are hereby granted a salary increase of \$1,000.00 for the calendar year 1974 over the salary fixed for the calendar year 1973. The base salary for all first class patrolmen, all firefighters and all dispatchers shall be \$10,087 for the calendar year 1974.

SECTION 7. In no event shall the base salary assigned any classification in Grouping III be higher than the base salary assigned the lowest paid position in the next highest classification in Grouping III.

SECTION 8. If any section, clause, sentence, paragraph, part or provision of this Ordinance shall be held invalid by any court, it shall be conclusively presumed that this Ordinance would have been passed by the Common Council without such invalid section, clause, sentence, paragraph, part or provision.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: Two
Moses, D. Schmidt

Date: July 31, 1973

Charles W. Westerman
City Clerk

BILL NO. R-73-08-05

RESOLUTION NO. R-45-73

A RESOLUTION transferring certain funds from Account No. 74-213 Travel to Account No. 74-121 Salaries-Temporary in the Budget of the Board of Safety.

WHEREAS, there are insufficient funds in Account No. 74-121 Salaries-Temporary to employ a Certified Diving Instructor to train members of Fort Wayne Fire Department; and,

WHEREAS, there are sufficient funds in Account No. 74-213 Travel to meet expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$550.00 is hereby transferred from Account No. 74-213 Travel to Account No. 74-121 Salaries-Temporary in the Budget of the Board of Safety.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-45-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-06

RESOLUTION NO. R-46-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 11

WHEREAS, Police Department Squad Car No. 11 was damaged in an accident by John J. Bopp on May 22, 1973 at intersection of Paulding and Hanna Streets; and

WHEREAS, settlement in the amount of \$76.50 was made by Northern Indiana Public Service Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$76.50, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$76.50 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 11

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nayes: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-46-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-07

RESOLUTION NO. R-47-73

A RESOLUTION authorizing payment for repairs
to Police Department Squad Car No. 21.

WHEREAS, Police Department Squad Car No. 21 was damaged in an accident by Lynn A. Stroble on March 14, 1973 at the corner of Anthony and Pettit; and

WHEREAS, settlement in the amount of \$90.87 was made by Economy Fire & Casualty Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$90.87, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$90.87 to Jim Kelley Buick for the repairs to said Police Department Squad Car No. 21.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nayes: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-47-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-08

RESOLUTION NO. R-48-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 68.

WHEREAS, Police Department Squad Car No. 68 was damaged in an accident by Ronald E. VanHoozen, on March 23, 1973 at 8107 Aboite Center Road; and

WHEREAS, settlement in the amount of \$266.88 was made by Farm Bureau Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$266.88, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$266.88 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 68.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nayes: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-48-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-09

RESOLUTION NO. R-49-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 51.

WHEREAS, Police Department Squad Car No. 51 was damaged in an accident by Vickie W. Fagen at the corner of Fairfield and West Foster Parkway on May 28, 1973; and

WHEREAS, settlement in the amount of \$305.62 was made by Carole D. Fagen, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$305.62, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$305.62 to Jim Kelley for repairs to said Police Department Squad Car No. 51.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-49-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-10

RESOLUTION NO. R-50-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 3.

WHEREAS, Police Department Squad Car No. 3 was damaged in an accident March 20, 1973; and

WHEREAS, settlement in the amount of \$22.08 was made by Immanuel Baptist Church, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$22.08, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$22.08 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 3.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-50-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-11

RESOLUTION NO. R-51-73

A RESOLUTION transferring certain funds from Account No. 63-242 Publication of legal notices to Account No. 63-725 Office Equipment in the 1973 Budget of the Purchasing Department.

WHEREAS, there are insufficient funds in Account No, 63-725 Office Equipment for the purchase of an electric typewriter; and

WHEREAS, there are sufficient funds in Account No. 63-242 Publication of Legal Notices to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$600.00 is hereby transferred from Account No. 63-725 Publication of Legal Notices to Account No. ~~63-725 Publication of Legal Notices to Account No.~~ 63-725 Office Equipment.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven

Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico

Nays: None

Absent: Two

Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-51-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-12

RESOLUTION NO. R-52-73

A RESOLUTION transferring certain funds from
Account No. 77-2-261 Services Contractural
in the 1973 Budget of Traffic Engineering.

WHEREAS, there are insufficient funds in Account No. 77-4-44 Materials to meet the actual expenditures of 1973;

WHEREAS, there are sufficient funds in Account No. 77-2-261, Services Contractural to meet the actual expenses of 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 77-2-261 Services Contractural \$20,000.00

to:

Account No. 77-4-44 Materials

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nayes: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-52-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-13

RESOLUTION NO. R-53-73

A RESOLUTION authorizing payment for repairs
to Police Department Squad Car No. 72.

WHEREAS, Police Department Squad Car No. 72 was damaged in an accident by William D. Abernathy on March 24, 1973 at the intersection of Clinton and Rudisill; and

WHEREAS, settlement in the amount of \$253.05 was made by William D. Abernathy, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$253.05, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$253.05 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 72.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-53-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-14

RESOLUTION NO. R-54-73

A RESOLUTION authorizing payment for repairs to
Police Department Squad Car No. 85.

WHEREAS, Police Department Squad Car No. 2 was damaged in an accident on April 23, 1973 at Calhoun and Superior Streets; and

WHEREAS, settlement in the amount of \$224.25 was made by Shelby Mutual Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$105.25, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$105.25 to Jim Kelley Buick for repairs to said Police Department Squad Car # 85.

Willism T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-54-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-15

RESOLUTION NO. R-55-73

A RESOLUTION authorizing payment for repairs to Board of Safety's Vehicle No. 64.

WHEREAS, Board of Safety Vehicle No. 64 was damaged in an accident by Fanning Personnel on June 3, 1973 at intersection of Pettit and Anthony; and

WHEREAS, settlement in the amount of \$359.49 was made by State Farm Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$359.49, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$359.49 to Jim Kelley Buick for repairs to said Board of Safety Vehicle No. 64.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-55-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-16

RESOLUTION NO. R-56-73

A RESOLUTION authorized payment for repairs to Police Motorcycle.

WHEREAS, Police Department Motorcycle was damaged in an accident by James R. Trammel on May 16, 1973; and

WHEREAS, settlement in the amount of \$259.30 was made by James R. Trammel, which money was receipted into

the General Fund; and

WHEREAS, Griffith Harley Davidson has submitted an estimate in the amount of \$259.30, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$259.30 to Griffith Harley Davidson for repairs to said Police Department motorcycle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-56-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-17

RESOLUTION NO. R_57-73

A RESOLUTION authorizing payment for repairs to Parking Administration's vehicle.

WHEREAS, a Parking Administration's vehicle was damaged in an accident by Eddie Curry on April 10, 1973 in the parking lot at City-County Building; and

WHEREAS, settlement in the amount of \$108.00 was made by American Underwriters Group, which money was received into the General Fund; and

WHEREAS, City Utilities Garage has submitted an estimate in the amount of \$108.00, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$108.00 to City Utilities Garage for repairs to said Parking Administration vehicle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-57-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-18

RESOLUTION NO. R-58-73

A RESOLUTION authorizing payment for repairs to Police Department Squad Car No. 24.

WHEREAS, Police Department Squad Car No. 24 was damaged in an accident on April 28, 1973; and

WHEREAS, settlement in the amount of \$274.20 was made by Kathleen C. O'Dowd, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$274.20, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$274.20 to Jim Kelley Buick for repairs to said Police Department Squad Car No. 24.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-58-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock AM., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-19

RESOLUTION NO. R-LOST

A RESOLUTION transferring certain funds from Account No. 74-726 Other Equipment to Account No. 74-121 Temporary Salaries in the Budget of the Board of Safety.

WHEREAS, there are insufficient funds in Account No. 74-121 Temporary Salaries to pay employees to move shelter supplies from Gaskins building, Lutheran Hospital and Lincoln National Bank and Trust; and

WHEREAS, there are sufficient funds in Account No. 74-726 Other Equipment to meet expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$400.00 is hereby transferred from Account No. 74-726 Other Equipment to Account No. 74-121 Salaries Temporary.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

BILL NO.Z-73-06-14

ZONING MAP ORDINANCE NO. Z-WITHDRAWN

We, your Committee on Regulations to whom was referred on Ordinance amending the City of Fort Wayne Zoning Map No. FF1 by locating a Reginal Shopping Center Symbol thereon, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance WITHDRAW.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

BILL NO.Z-73-06-15

ZONING MAY ORDINANCE NO. Z-WITHDRAWN

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. BB4, have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance WITHDRAW.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

BILL NO. R-73-07-16

RESOLUTION NO. R-44-73

A RESOLUTION concerning programs and services to relieve police and law enforcement agencies from the burdens of dealing with arrest in the Fort Wayne area for public intoxication unconnected with any crime.

WHEREAS, there is a need for a program for the non-medical detoxication and rehabilitation of intoxicated persons in the Fort Wayne area.

WHEREAS, there is a need for a facility and program which would further the concept of treatment of public intoxication offenders as persons suffering from an illness with a potential for rehabilitation through counseling and referral to appropriate community agencies for assistance with individual problems.

WHEREAS, there is also a need for a residential treatment and rehabilitation facility to follow up on such persons at the time of leaving the sobering-up facility.

WHEREAS, there is no existing facility at present in the Fort Wayne area for such a detoxication and rehabilitation program.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council of the City of Fort Wayne favors the establishment of a facility and service which would provide the following:

- a. Alleviation by police and other law enforcement agencies of arrests for public intoxication not connected with any crime.
- b. Detoxication and rehabilitation for the public intoxication offender.

John Nuckols
Councilman

Read the third time in full and on motion by V.Schmidt, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-15-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-44-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-35

RESOLUTION NO. R-59-73

A RESOLUTION DECLARING THAT NO DRIVEWAY PERMIT SHOULD BE GRANTED FOR ACCESS ON JEFFERSON STREET, FORT WAYNE, INDIANA INCIDENT TO SHELL OIL CO. OPERATION AT THE SOUTHWEST CORNER OF JEFFERSON AND HARRISON STREETS IN THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, Shell Oil Co. has requested from the Indiana State Highway Department permission for a

driveway cut on the south side of Jefferson Street immediately west of its intersection with Harrison Street ~~immediately west of its intersection with Harrison~~ in the City of Fort Wayne, Indiana, which driveway cut would be used for ingress and egress of a gasoline dispensing station and other incidental use at said site; and

WHEREAS, the above location on Jefferson Street is adjacent to a street with high volume traffic movement and the proposed driveway cut, if granted, would not be compatible with existing road conditions and would create conflict with the internal traffic pattern established on said street; and

WHEREAS, the proposed location of the above gasoline dispensing station and incidental services is located at a high frequency accident location as a result of excessive congestion in the area caused by business and traffic; and

WHEREAS, the Transportation Technical Committee of the Three Rivers Coordinating Council on September 12, 1972 recommended that the Shell Oil Co. application for driveway cut be denied; and

Whereas, theretofore on February 7, 1973 the driveway permit Engineer of the Indiana State Highway Commission denied such application; and

WHEREAS, on August 2, 1973 the Site Plan and Driveway Sub-Committee of the Transportation Technical Committee of the Three Rivers Coordinating Council again recommended that said application for driveway cut at said location be denied; and

WHEREAS, the District Engineer of the Indiana State Highway Commission on August 6, 1973 stated that the Fort Wayne District of the Indiana State Highway Commission is in agreement with the revised drawing for granting one driveway cut approximately 50 feet south of Jefferson Street on the west side of Harrison Street, and eliminating the two driveways on Jefferson Street as originally proposed.

NOW THEREFORE BE IT RESOLVED that no driveway permit should be granted for access on the South side of Jefferson Street, Fort Wayne, Indiana at the location of the site at or near the intersection of Harrison and Jefferson Streets in the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED that a copy of this resolution adopted by the Common Council of the City of Fort Wayne be submitted to the State Highway Commission of Indiana and a copy of these Resolution also be submitted to the Building Department of the City of Fort Wayne, Indiana.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V.Schmidt, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Burns, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: One
Hinga
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-59-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. G-73-07-10

GENERAL ORDINANCE NO. G-18-73

AN ORDINANCE AMENDING CHAPTER 30 OF THE FORT WAYNE MUNICIPAL CODE BY ADDING THERETO SECTIONS 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT Chapter 30 of the Fort Wayne Municipal Code is hereby amended by adding thereto Sections 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47.

SECTION 36. Amusement Arcades - License required.

No person, firm, partnership or corporation shall keep within the City any amusement arcade unless such person, firm, partnership or corporation shall have first procured an amusement arcade license as hereinafter provided.

SECTION 37 Amusement Arcades - License required.

"Amusement Arcade" means the operation by any person, firm, partnership or corporation of:

- (1) Twenty (20) or more coin operated amusement devices as hereafter defined.
- (2) For Public use.
- (3) Upon premises solely within one enclosure.

SECTION 38. "Coin operated amusement device" means any amusement machine or device which is operated in whole or in part by the insertion of a coin, token or similar object. The term does not include coin-operated musical devices, bona fide vending machines in which gaming or amusement features are not incorporated, any gambling device or slot machine. Nothing herein shall be construed to permit the use of any device prohibited by law or the use of any device in any manner prohibited by law.

SECTION 39. Amusement Arcades - License required.

No person, firm, partnership or corporation shall own, operate, or permit operation of an Amusement Arcade on premises owned, leased or operated by him, or engage in the business of operating an Amusement Arcade, in the City unless an annual Amusement Arcade License has been obtained. Such Amusement Arcade License shall be in lieu of any other license required by Sections 18 and 30 of this Chapter. A person, firm, partnership or corporation licensed as an Amusement arcade is exempt from all other licensing requirements of this Chapter.

SECTION 40. Amusement Arcades - License Required - Application - License fee.

Such Amusement Arcade licenses shall be obtained upon application to the City Controller and the payment of an annual license fee of \$200.00 for each Amusement Arcade. Such fee shall be in lieu of any other fee required by Sections 20 and 31 of this Chapter.

~~Amusement Arcade licenses shall be obtained upon application to the City Controller and the payment of an annual license fee~~

Amusement Arcade licenses shall cover an annual period from January 1st through December 31st for each calendar year hereafter; provided, however, that all Amusement licenses obtained between the period August 21, 1973 and December 31, 1973 in addition to covering the period from the granting of the license in the year 1973 to the end of said year 1973 shall cover also the calendar year 1974. From and after January 1, 1974 each Amusement license, no matter when obtained during said calendar year 1974 and thereafter, shall cover only the unexpired portion of the calendar year in which the annual calendar year Amusement Arcade license is obtained.

The application must be signed and sworn to be the applicant in the case of a sole proprietorship. In case the applicant is a partnership, all partners must sign and verify the application. In case the applicant is a corporation, all officers must sign and verify the application and indicate their official position. The information required in the application from must be furnished as to each person signing the application. Each application shall be accompanied by the required licensing fee and shall contain the following information:

- (a) The applicant's full name.
- (b) The applicant's residence address.
- (c) The applicant's business address.
- (d) The address of the proposed amusement arcade.
- (e) The name and address of every person who has any interest in the Amusement Arcade, and the nature of that interest.

- (f) Whether or not the applicant has been convicted of any felony, or of pandering, gambling, operation of a gambling device, operating of a gaming house or being a keeper of a house or being a keeper of a house of ill-fame, or any other misdemeanor.
- (g) Whether or not the applicant is at the time of making the application keeping or in any way connected with a gaming house or a house of ill-fame.
- (h) Whether or not the applicant or his or her spouse, or any member of the applicant's household is a member or employee of the Police Department of the City of Fort Wayne, whether or not any member or employee of the Police Department of the City of Fort Wayne is interested in any way, either directly or indirectly, in the license applied for, the devices, or the operation of the same; and whether or not the applicant has received or borrowed money or anything else of value or accepted credit from any member or employee of said Police Department, or the spouse of any member of the household of any such member or employee.
- (i) A statement that the applicant, if requested by the Mayor, will permit a record of his fingerprints to be made by the Police Department of the City of Fort Wayne for the purpose of additional investigation to determine whether or not the application should be granted.

SECTION 41. Amusement Arcades, License required - Inspections; Issuance of License.

Upon receipt of the application and the fee, the Controller shall refer the application to the Police Department of the City, which shall cause the Arcade to be inspected promptly and report to the City Controller whether the coin operated amusement device, or devices, in the Arcade are equipped for operation or are actually operated in violation of the law of the State. If the Police Department finds that the coin operated amusement devices in the Arcade are not so equipped or operated, the inspecting officer shall place a sticker on each machine showing the date of inspection and so report to the City Controller. The Controller shall then issue a license for the Arcade, and the number of the license shall be placed on the sticker on each coin operated amusement device in the Arcade.

The Police Department shall make at least one additional inspection of each coin operated amusement device in the Arcade during the license year to determine whether the machines are operated or equipped for operation in violation of the law of the State, and may make additional inspections at any time. The date of each inspection shall be shown on the sticker of each machine.

SECTION 42. Amusement Arcades - Change of Location.

If any coin operated amusement device is moved from the Arcade, the new location shall be reported promptly to the Police Department, and if not so reported, the Amusement Arcade License shall be automatically revoked without notice of further action. No license shall be valid except for the location shown in the application or in such change of location.

If any coin operated amusement device is moved from a different location to the Arcade, the Arcade licensee shall notify the Police Department of the City, which shall cause the new machines to be inspected promptly and report to the City Controller whether the coin operated amusement device in the Arcade is equipped for operation or is actually operated in violation of law. If the Police Department finds that the coin operated amusement device in the Arcade is not so equipped or operated, the inspecting Officer shall place a sticker on that machine, bearing the number of the Arcade License, showing the date of inspection and so report to the City Controller.

SECTION 43. Amusement Arcades - Restrictions.

A. No coin-operated amusement device or coin-operated musical device shall be operated within an amusement arcade so as to constitute a public nuisance.

B. An amusement Arcade License shall not be issued to any person who has been convicted of conducting gambling activities or to any corporation or partnership a member of principal share-holder of which has been convicted of conducting gambling activities. No gambling activities shall be conducted on the premises of Amusement Arcades licensed under this Chapter.

C. There shall be provided a full time attendant upon the premises of an Amusement Arcade during the normal business hours.

D. It shall be unlawful for any person, firm, partnership or corporation engaged in the business of operating an Amusement Arcade to sell, offer for sale, or knowingly permit to be sold or offered for sale or to be dispensed or consumed or brought on the premises any alcoholic beverages.

E. Every Amusement Arcade licensed under this Chapter shall have affixed on its premises in Plain view a decalcomania evidencing the issuance of its license.

F. The license required and described in this Section shall be purely a personal privilege and shall not constitute property. It is not transferable in any manner.

SECTION 44. Amusement Arcades - Penalties.

Any person, firm, partnership or corporation operating an Amusement Arcade shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for every violation of this Chapter. A licensee who has committed three (3) or more violations of this Chapter may, upon ten (10) days written notice to licensee, have its license revoked.

SECTION 45. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, section, clause, provision, or portion of this ordinance.

SECTION 46. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 22nd day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO Z-73-05-04

ZONING MAP ORDINANCE NO. Z-10-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B4, B6, C4, C6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B4, B6, C4, C6, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot No. 31 in Drexel Park Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V.Schmidt, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, V.Schmidt, Stier, Talarico
Nays: None
Absent: Two
Nuckols, D.Schmidt

Date: 8-14-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 3-10-73 on the 14th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 22nd day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

Bill No. G-73-08-04(Amended)

General Ordinance No. G-19-73

AN ORDINANCE approving itemized estimates of Capital Program Expenditures for the year 1974.

WHEREAS, heretofore on April 11, 1973 General Ordinance Numbered G-07-73 was enacted into law requiring:

- (a) The Board of Public Works of the City of Fort on or before June 30, 1973 and at least annually thereafter on or before the 30th day of June of each year, to provide the Common Council of the City of Fort Wayne with itemized estimates of capital program expenditures for each succeeding fiscal year in such detail as said Common Council, with the assistance of the City Controller Fort Wayne determines, so that said Common Council may pass upon, approve, amend or reject same in whole or in part prior to and/or during the time of adoption of the annual Municipal Budget of the City of Fort Wayne; and

WHEREAS,

- (b) said Board of Public Works on June 29, 1973 has submitted to the said Common Council said itemized estimates, all as set forth in Exhibit "A" hereto attached and made a part hereof; and

WHEREAS,

- (c) said Common Council having duly considered said estimates as so submitted does now pass on same and approve same in whole.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,

Section 1. All estimates of capital programs presented by the Board of Public Works of the City of Fort Wayne to the Common Council of the City of Fort Wayne as shown on Exhibit "A" hereto attached and made a part hereof is now approved in whole by the Common Council of the City of Fort Wayne.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

BOARD OF PUBLIC WORKS 1974 PROPOSED CAPITAL IMPROVEMENT PROGRAM

PROJECT

TREE IMPROVEMENTS

	DESCRIPTION	FEDERAL	STATE	R&S-MVH CITY	COUNTY	ASSESSMENT	OTHER	TOTAL
Hobson Road	Coliseum Blvd. to Ind. #37	\$224,000		\$24,000	\$72,000			\$320,000
Hobson Road	Lake Ave. to State Blvd.	147,000		63,000	30,000			\$240,000
Anthony Blvd.	Rudisill Blvd. to Pontiac	208,600		89,400				\$298,000
Tillman Road	Anthony Blvd. to Hessen Cassel	798,000		136,800	205,200			\$1,140,000
U.S. #27	Coliseum Blvd. to Wash. Center Road	490,000	210,000	50,000				750,000
U.S. #27	S.R. #3 to Coliseum Blvd.	297,500	127,500	30,000				455,000
Washington Center Road	U.S. #27 to Clinton St.	420,000		180,000				600,000
Fairfield Ewing Bridge		662,186		141,897	141,897			945,980
TOTALS		\$3,247,286	\$337,500	\$715,097	\$449,097			\$4,748,980

The above projects have been estimated and cost prorated on the assumption of 70% funding from the Federal Highway Administration under the various programs they sponsor.

Miscellaneous Barrett Law Streets, Alleys & Sidewalks

Railroad Crossing Improvements, including improved riding surface, signalization and lighting	\$70,000	\$20,000					\$10,000 (railroads)	\$100,000
---	----------	----------	--	--	--	--	----------------------	-----------

Sewer Relief Funds

Civil City Budget

Maintenance & repair of storm sewers, catch basins & inlets by WPC Maint. Department for 1974

\$60,000

860,000

BOARD OF PUBLIC WORKS 1974 PROPOSED CAPITAL IMPROVEMENT PROGRAM

<u>Project</u>	<u>Federal</u>	<u>State</u>	<u>R&S - MVH City</u>	<u>County</u>	<u>Assessment</u>	<u>Other</u>	<u>Total</u>
			<u>Civil City Budget</u>				
<u>Sewer Relief Funds Cont'd.</u>							
2. Hawthorne-Old Decatur Road-Paulding Storm Sewers			\$45,000				\$45,000
3. Sherman Street RR Elevation Storm Relief Sewer			\$150,000				\$150,000
4. Miscellaneous Projects depending on petitions from property owners			<u>\$150,000</u>				<u>\$150,000</u>
TOTAL			\$405,000				\$405,000
<u>Street Lighting</u>							
1. TOPICS Street Lighting Projects on routes found eligible by the ISHC and Federal Highway Administration			\$150,000				\$150,000
2. Residential Lighting - New Lighting & Rehabilitation			<u>\$150,000</u>				<u>\$150,000</u>
TOTALS	\$350,000		\$300,000				\$650,000
<u>Equipment Purchases by B/W and Street Department</u>							
			\$ 50,000				\$ 50,000
<u>Cumulative Capital</u>							
			\$ 50,000				\$ 50,000

Additional projects conceived in 1974 will be presented for Council's consideration.
JUNE 29, 1973

EXHIBIT "A"

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 8-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-19-73 on the 27th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-07-13
(Amended)

SPECIAL ORDINANCE NO. S-85-73

AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1974.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of \$3.9728 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1974, the same to be divided as follows:

General Fund	\$2.5700
Public Lighting	.1779
Sewer Relief	.1186
Fire Pension	.1969
Police Pension	.2085
Park General	.5064
Art Institute	.0075
Redevelopment General	.0098
Redevelopment Capital	.0995
Emergency Medical Services	.0694
Fine Arts Foundation	.0093
Total	<u>\$3.9728</u>

SECTION 2. That this ORdinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Kraus, Moses, Nuckols, V. Schmidt, Talarico
Nays: Three
Burns, D. Schmidt, Stier

Date: 8-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-85-73 on the 27th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Kraus, Moses, Nuckols, V. Schmidt, Talarico
Nays: Three
Burns, D. Schmidt, Stier

Date: 8-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-85-73 on the 27th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1973, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

BILL NO. S-73-08-01

SPECIAL ORDINANCE NO. S-86-73

AN ORDINANCE approving a contract with International Harvester and Ernst Truck Equipment Co. for 2 Trucks and 2 Dump bodies.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 529 dated July 12, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Street Department and International Harvester and Ernst Truck Equipment Co. for

Trucks with trade-in	\$11,333.84
Frame reinforcement for two units	130.00
	<u>\$11,463.84</u>

and

2 Dump Bodies	\$ 3,518.00
---------------	-------------

all for a total cost of \$14,981.84, all as more particularly set forth on Civil City Purchase Orders No. 3-17475 and 3-17476, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-28-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-86-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-08-02

SPECIAL ORDINANCE NO. S-87-73

AN ORDINANCE approving an agreement with
AMERICAN THREAD COMPANY for fire protection
on American Way.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved June 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Commissioners, Department of Public Safety and AMERICAN THREAD COMPANY, for fire protection on 2425 American Way, Allen County, Indiana for a total revenue of approximately \$1800.00 received by the City, all as more particularly set forth in said contract, which is on file in the office of the Department of Public Safety, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-28-73
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-87-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-08-03

SPECIAL ORDINANCE NO. S-88-73

AN ORDINANCE approving a certain bid document
with ERNST TRUCK EQUIPMENT COMPANY for the
purchase of three salt spreaders for the
Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain Bid document Ref. No. 523 dated May 23, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Street Department and ERNST TRUCK EQUIPMENT COMPANY, for:

Three (3) 1973 Salt Spreaders \$5,741.49

as more specifically set forth in said bid document Ref. No. 523 and Purchase Order No. 3-16269 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made

a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-28-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-88-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-08-29

SPECIAL ORDINANCE NO. S-89-73

AN ORDINANCE approving Change Order No. 1 with Maumee Construction Corp. in connection with Vance Avenue Sidewalk installation Ordinance No. S-52-72.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with Maumee Construction Corp. in connection with Vance Avenue sidewalks installation Ordinance No. S-52-72 as set out in specifications, resulting in an increase in the amount of \$3,314.06 in the contract price in hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-28-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-89-73 on the 28th day of August, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-08-32

SPECIAL ORDINANCE NO. S-92-73

AN ORDINANCE approving Contracts with various Contractors, for the construction of the St. Joseph Interceptor Sewers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contracts between the following Contractors: JOHN DEHNER, INC. dated July 13, 1973; NOBIS-WESTROPP CONST. dated July 18, 1973; EARTH CONSTRUCTION (2) dated July 18, 1973; BERCOT, INC. dated July 17, 1973; HIPSKIND ASPHALT (3) dated July 16, 1973 and the CITY OF OFRT WAYNE, by and through its Mayor and Board of Public Works, for the construction of the Saint Joseph Interceptor Sewers as follows:

JOHN DEHNER, INC.

Beginning at an existing 54 inch sanitary sewer located approximately 114 feet west of the St. Joseph River and at the Northeast corner of Concordia Gardens; thence, Northerly along the West side of the Old Feeder Canal a distance of 380 ± feet to a proposed manhole; thence, Northeast in and along the Old Feeder Canal a distance of 1,436 ± Lineal Feet to a proposed manhole located approximately 100 feet West of the St. Joseph River a distance of 3,051 ± Lineal Feet to a proposed manhole located 150 ± feet North of the Swift Drain; thence, in an Easterly and Southeasterly direction along the North side of the St. Joseph River a distance of 2,073 ± Lineal Feet to a proposed manhole; thence, in an Easterly direction a distance of 3,722 ± Lineal Feet to a proposed manhole located approximately 120 feet West of the St. Joseph River; thence, in a Northerly direction along the West side of the said river a distance of 929 ± Lineal Feet, terminating at a proposed manhole located approximately 70 feet North of the St. Joseph River and 120 feet South of the Martin Drain.

Said sewer shall be 54 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

NOBIS WESTROPP CONSTRUCTION CO., INC.

Beginning at a proposed manhole located approximately 70 feet North of the St. Joseph River and 120 feet South of the Martin Drain; thence, in a Northeasterly direction along the North side of the St. Joseph River a distance of 4,194 ± Lineal Feet, terminating at a proposed manhole located approximately 175 feet Northwest of the St. Joseph River and approximately 2,500 feet Northeast of Mayhew Road.

Said sewer shall be 48 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City.

EARTH CONSTRUCTION AND ENGINEERING, INC.

Beginning at a proposed manhole located approximately 380 feet North of Concordia Gardens and 50 feet West of the Old Feeder Canal; thence in a Westerly and Northwesterly direction along the South side of Beckett's Run Ditch a distance of 3,279 ± Lineal Feet to a proposed manhole located on the West side of Leo Road and approximately 45 feet South of the Beckett's Run Bridge; thence, in an Northwest direction a distance of 1,117 ± Lineal Feet to a proposed manhole located approximately 400 feet West of Interstate 69; thence, North along the East side of Beckett's Run Ditch a distance of 1,388 ± Lineal Feet to a proposed manhole; thence, West along the North side of said ditch a distance of

515 ± Lineal Feet to a proposed manhole; thence, North along the East Side of said ditch a distance of 2,075 ± Lineal Feet to a proposed manhole; thence, Northwest a distance of 328 ± Lineal Feet to a proposed manhole located on the East side of Old Auburn Road and approximately 300 feet South of Wallen Road (East of Old Auburn Road); thence, North along Old Auburn Road a distance of 525 ± Lineal Feet to a proposed manhole located approximately 210 feet North of Wallen Road; thence, West a distance of 243 ± Lineal Feet to a proposed manhole; thence, in a Northwesterly direction along the Northerly side of Beckett's Run Ditch a distance of 4,031 ± Lineal Feet, terminating at a proposed manhole located on the East side of S.R. #327 and approximately 50 feet North of Beckett's Run Ditch.

Said sewer shall be 27, 30 and 36 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

BERCOT, INC.

Beginning at a proposed manhole located on the East side of S. R. #327 and approximately 50 feet North of Beckett's Run Ditch; thence, Northwest a distance of 1,032 ± Lineal Feet to a proposed manhole located at the Northeast corner of Lot #5 in Feichter's Subdivision; thence, West a distance of 1,533 ± Lineal Feet to a proposed manhole; thence, in a Northwesterly direction a distance of 808 ± Lineal Feet to a proposed manhole; thence, in a Westerly direction a distance of 1,715 ± Lineal Feet to a proposed manhole located on the West side of the old New York Central Railroad line and approximately 1,250 feet North of Till Road; thence, South along said railroad a distance of 445 ± Lineal Feet to a proposed manhole; thence, West along the South side of Beckett's Run Ditch a distance of 1,351 ± Lineal Feet to a proposed manhole; thence, South along the West side of said ditch a distance of 530 ± Lineal Feet to a proposed manhole; thence, West along the North side of Beckett's Run Ditch a distance of 1,665 ± Lineal Feet to a proposed manhole located approximately 100 feet North of Till Road; thence, in a Northerly direction 3,336 ± Lineal Feet along the East side of an existing drainage ditch to a proposed manhole located approximately 220 feet South of Dupont Road and approximately 2,200 feet East of S.R. #3; thence, in a Northwesterly direction along the Northerly side of an existing drainage ditch a distance of 3,675 ± Lineal Feet terminating at a ~~distance of~~ proposed manhole located on the West side of S.R. #3 and approximately 50 feet North of the Randert Drain.

Said sewer shall be 21, 24, and 27 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

HIPSKIND ASPHALT CORPORATION

Beginning at a proposed manhole located on the West side of State Road #3 and approximately 50 feet North of the Rahdert Drain; thence, in a Northwesterly direction along the Northerly side of the Rahdert Drain a distance of 1,487 Lineal Feet to a proposed manhole located on the South side of Carroll Road, and approximately 1,100 feet West of State Road #3, thence, West along the South side of Carroll Road a distance of 695 ± Lineal Feet to a proposed manhole located on the South side of Carroll Road and approximately 540 feet East of the G.R. & T. Railroad tracks; thence, North a distance of 1,355 ± Lineal Feet, terminating at a proposed manhole located near the existing Irene Byron County Home Treatment Plant. Said sewer shall be 8, 12, 18 and 21 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

EARTH CONSTRUCTION & ENGINEER, INC.

Beginning at a proposed manhole located approximately 150 feet North of the Swift Drain and approximately 300 feet ~~Northwesterly direction along~~ Northwest of the St. Joseph River; thence, in an Northwesterly direction along the Northerly side of Swift Drain a distance of 2,160 ± Lineal Feet to a proposed manhole located on the Westside of Leo Road and approximately 45 feet North of Swift Drain; thence, in an Northwesterly and Northerly direction a distance of 895 ± Lineal Feet to a proposed manhole located on the East side of Interstate 69 and approximately 470 feet North of Wallen Road; thence, West 250 ± Lineal Feet to a proposed manhole located on the West side in Interstate 69; thence, Northerly a distance of 5,130 ± Lineal Feet, terminating at a proposed manhole located on the North side of Dupont Road and approximately 825 feet West of Interstate 69.

Branch Line A:

Beginning at a proposed manhole located approximately 180 feet West of Interstate 69;

thence, East a distance of 785 ± Lineal Feet, terminating at a proposed manhole located approximately 1,240 feet South of Dupont Road and approximately 380 feet East of Interstate 69.

Said sewer shall be 12 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

HIPSKIND ASPHALT CORPORATION

Beginning at a proposed manhole located on the North side of Dupont Road and 825 feet West of the centerline of Interstate 69; thence, in a Northwest direction a distance of 1,205 ± lineal feet to a proposed manhole; thence, North a distance of 1,405 ± lineal feet to a proposed manhole located on the North side of Northway Drive and approximately 1,040 feet East of Old Auburn Road; thence, East a distance of 1,012 ± lineal feet to a proposed manhole; thence, in a Northwesterly direction along a drainage ditch a distance of 3,123 ± lineal feet to a proposed manhole; thence, Westerly along the Delagrang Ditch a distance of 920 ± lineal feet to a proposed manhole located on the East side of Old Auburn Road and approximately 85 feet South of the Delagrang Ditch; thence, continuing West a distance of 2,068 ± lineal feet to a proposed manhole; thence, in a Northwesterly direction a distance of 1,140 ± lineal feet, terminating at a manhole located at the Pine Valley Treatment Plant.

Said sewer shall be 15, 18 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special details and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

HIPSKIND ASPHALT CORPORATION

Beginning at a proposed manhole located approximately 70 feet North of the St. Joseph River and approximately 120 feet South of the Martin Drain; thence, in a Northwesterly direction a distance of 810 ± Lineal Feet to a proposed manhole; thence, in a Northerly direction a distance of 3,461 ± Lineal Feet, terminating at a proposed manhole located on the North side of Leo Road and approximately 240 feet Southwest of the Martin Drain bridge culvert.

Said sewer shall be 18 and 24 inches in diameter, with all appurtenances to be constructed in accordance with the plans, profiles, special detail and specifications now on file in the Office of the Board of Public Works of said City, and shall be used for sanitary purposes only.

the cost and expense of construction of said sewer system to be borne approximately 15 % by the City of Fort Wayne, Indiana, the remainder to be funded by a Federal and State Grant, including City engineering and inspection fees, all as more particularly set forth in said Construction Contracts which are on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Contractors and any owner or owners of land, their successors in title and assigns which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Contracts, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico
Nays: None
Absent: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-92-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. S-73-08-33

SPECIAL ORDINANCE No. S-93-73

AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for resurfacing twenty (20) streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved August 3, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and WAYNE ASPHALT AND CONSTRUCTION COMPANY for the resurfacing of twenty (20) streets per attached list for a total cost of \$366,133.35, all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works, and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

1. Buena Vista Drive from the north property line of Lawndale Drive to the south property line of Curdes Avenue, to a width of 18 feet.
2. Glencairn Drive from the north curb line of Vance Avenue to the north property line of Fairlawn Pass, to a width of 23 feet.
3. Elwood Drive from the north property line of Fairlawn Pass to the south property line of Trierwood Park Drive, to a width of 23 feet.
4. St. Joe Road from a point approximately 350 feet north of St. Joe Center Road to the south pavement line of Evard Road, to a width of 22 feet.
5. Fairlawn Pass from the east property line of Glencairn Drive to the west property line of Elwood Drive to a width of 23 feet.
6. Lake Avenue from the east curb line of St. Joseph Boulevard to a point 50 feet east of Tecumseh Street, to a width of 30 feet.
7. Goshen Road from the north property line of State Boulevard to the east curb line of Sherman Boulevard, to a width of 30 feet.
8. Dartmouth Drive from the north property line of Catalina Avenue to the south pavement line of Washington Center Road, to a width of 23 feet.
9. Sandpoint Road from the west pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.
10. Engle Road from the east pavement line of Bluffton Road to the east pavement line of Ardmore Avenue, to a width of 24 feet.
11. Eby Avenue from the west property line of Bevel Avenue to the east property line of Paul Street, to a width of 26 feet.
12. Lenox Avenue from the west property line of Hoagland Avenue to the east property line of Fairfield Avenue, to a width of 23 feet.
13. Doan Drive from the east property line of Calhoun Street to the east property line of Noll Avenue, to a width of 23 feet.
14. Noll Avenue from the south property line of Doan Drive to a point 40 feet north of the north property line of Paulding Road, to a width of 29 feet.

15. Harrison Street from the south property line of Crown Lane to the south property line of South-fair Court, to a width of 26 feet.
16. Mount Vernon Park from the west property line of Bowser Avenue to the north property line of Roosevelt Drive, to a width of 26 feet.
17. Bowser Avenue from the north curb line of Capitol Avenue to the south property line of McKinnie Avenue, to a width of 26 feet.
18. Bowser Avenue from a point 200 feet south of Roosevelt Drive to the east curb line of Oliver Street, to a width of 20 feet and 26 feet.
19. Oliver Street from the south property line of Capitol Avenue to the north property line of Pettit Avenue, to a width of 20 feet and 26 feet.
20. South Anthony Boulevard from a point approximately 525 feet south of U.S. Highway 27 south to a point approximately 840 feet south thereof, to a width of 20 feet.

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-93-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. S-73-08-34

SPECIAL ORDINANCE NO. S-94-73

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of Clermont Avenue from Hessen Cassel Road to Wayne Trace.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved August 6, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and JOHN DEHNER, INC. for the paving of Clermont Avenue, as follows:

Clermont Avenue from the east property line of Hessen Cassel Road to the west property line of Wayne Trace.

for a total cost of \$93,976.44 of which the City will be paying approximately 69% (\$65,000.00), all as more particularly set forth in said contract, which contract is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, and confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-94-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-37

RESOLUTION NO. R-60-73

A RESOLUTION authorizing payment for repairs to Police vehicle damaged in an accident.

WHEREAS, Police vehicle (1972 Dodge four door sedan license no. 71F5179 IND 72) was damaged in an accident on May 3, 1973, and;

WHEREAS, settlement in the amount of \$773.33 was made by Meridian Mutual Insurance Company, which money was receipted into the general fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$773.33, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$773.33 to Jim Kelley Buick for repairs to said Police vehicle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-60-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. G-73-08-25

GENERAL ORDINANCE NO. G-20-73

AN ORDINANCE amending the General Ordinance G-97
by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of two public streets by NORTHSIDE FINANCE CORP. having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public streets in Fort Wayne, Allen County, Indiana, to-wit:

Glen Eden Drive from the Southwest boundary line
of the Goshen Road to the southwestern terminus
of said Glen Eden Drive; and

Apple Valley Lane in its entirety.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-20-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. G-73-08-26

GENERAL ORDINANCE NO. G-21-73

AN ORDINANCE amending the General Ordinance
G-97 by authorizing the vacation of an alley and two streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley and two public streets by property owners having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is

amended by deleting the following public alley and two public streets in Fort Wayne, Allen County, Indiana, to-wit:

Those portions of Lombard Street and Sidney Street and that particular alley that parallels said street and is located equal distant between them which lie between East Washington Blvd. on the North and Jefferds Avenue on the South.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-21-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. G-73-08-27

GENERAL ORDINANCE NO. G-22-73

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley north of Creighton Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by the Fort Wayne Redevelopment Commission having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first east-west alley north of Creighton Avenue. Beginning at the East line of Bowser Avenue, continuing east to the West line of Holton Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. G-73-08-28
AS AMENDED

GENERAL ORDINANCE NO. G_23-73

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 1A, Section 21 (b) as referred to "Authorization of Traffic Signals", by adding thereto the following:

TRAFFIC SIGNAL

(INSTALLATION PENDING COUNCIL APPROVAL)

St. Joe Road at Indiana-Purdue University Regional Campus Entrance. Wallace Street at Hanna Street.

SECTION 2. (Section (2) has been deleted by Common Council on their August 28, 1973, meeting).

SECTION 3. That Schedule 4, Section 171 "Through Streets", by adding thereto the following:

STREET

FROM

TO

Kentucky Avenue

State Blvd.

Vance Ave., except at State Blvd. and Vance Ave.

SECTION 4. That Schedule 5, Section 172 "Intersections Where Stop Required", by adding thereto the following:

STOP INTERSECTION

Irene Ave. -- Stop -- at Hensch St.

Concordia Dr. -- Stop -- at Colony Dr.
 Maple Grove Ave. -- Stop -- at Gaywood Dr.
 Capitol Ave. -- Stop -- at Gaywood Dr.
 Taber St. -- Stop -- at Webster St.
 Weisser Park Av - Stop -- at Eckart St.
 Columbia Ave. -- Stop -- at Inwood Dr.
 Dunnwood Dr. -- Stop -- at Spy Run Extended
 White Ave. -- Stop -- at Maumee Ave.
 Boone St. -- Stop -- at Mechanic St.
 Glenwood Ave. -- Stop -- at Beacon St.
 Jessie Ave. -- Stop -- at Archer Ave.
 Plaza Dr. -- Stop -- at Pettit Ave.
 Standish Dr. -- Stop -- at Pettit Ave.

SECTION 5. That Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets" by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Berry Street	north	Hanover Street	175' E. thereof
Berry Street	north	225 fr. E/Hanover	Anthony Blvd.
State Blvd.	south	Penn Central RR	200' w/thereof
Commercial Rd.	north	Bluffton Rd.	western terminus
Ridgewood Dr.	south	Parnell Ave.	365 ft. west thereof
South Wayne Ave.	east	Wildwood Ave.	210 ft. south thereof
Murray St.	north	Calhoun St.	Clinton St.
Baals Dr.	east	Coliseum Blvd.	945 ft. south thereof
Trail "F"	south	Baals Dr.	including Park Service Drive
(City Utilities Park)			650 ft. west thereof
Hazelwood Ave.	north	Oak Grove Ave.	Leroy Ave.
Bevel Ave.	both	Taylor St.	200 ft. south thereof
Pontiac St.	south	Fruehauf Dr.	185 ft. west thereof
Creighton Ave.	south	Bowser Ave.	Holton Ave.
Bowser Ave.	both	Creighton Ave.	Hurd St.
Barr St.	west	390 ft. north/Duck St.	340 north thereof
Hanover St.	east	alley south/Berry St.	north to N & W RR
Bevel Ave.	both	Taylor St.	Brown St.
Eckart St.	north	Bowser Ave.	Robinwood Dr.
Rolston St.	west	Hazelwood Ave.	525 ft. north thereof

SECTION 6. That Schedule 8, Section 175 "Parking Prohibited During Certain Hours on Certain Streets", by adding thereto the following:

NO PARKING 6:00 A.M. - 9:00 A.M.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Calhoun St.	east	Penn Central RR	Pontiac St.

NO PARKING 3:00 P.M. - 6:00 P.M.

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Calhoun St.	west	Penn Central RR	Pontiac St.
Harrison St.	west	Lewis St.	Brackenridge St.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor, and legal publication thereof.

Vivian G. Schmidt
 Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
 Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
 CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-23-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. S-73-08-30

SPECIAL ORDINANCE NO. S-90-73

AN ORDINANCE approving a contract with JUSTUS CONTRACTING COMPANY for construction of a water main on Old Decatur Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved July 24, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JUSTUS CONTRACTING CO., INC. for the construction of a water main as follows:

2235± feet of 12 inch ductile iron water main and its appurtenances on the Old Decatur Road, from the existing water main on South Anthony Blvd., southward a distance of 2235± feet, all as shown on Fort Wayne Water Utility Drawing No. M-10055, sheet 1 of 1.

for a total cost of \$8,157.40 of Utility money, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-90-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. S-73-08-31

SPECIAL ORDINANCE NO. S-91-73

AN ORDINANCE approving Agreement with KEN NIEMEYER, INC. for construction of the LAKE FOREST ADDITION EXTENDED sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement dated July 16, 1973, between KEN NIEMEYER, INC. as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in the Lake Forest Addition Extended, Section V, as follows:

LATERAL A-1

Commencing from a proposed manhole over an existing 30" sanitary sewer located 40 ± Lineal Feet South of the Southeast corner of Lot #9 of said addition; thence Northwest 73 ± Lineal Feet to a proposed manhole located 15 ± Lineal Feet North of the Southwest corner of Lot #9; thence due North 121 ± Lineal Feet to a proposed manhole located 8 ± Lineal Feet North of the Northwest corner of Lot #9. Said manhole more particularly described as being 8 ± Lineal Feet North of the South Right-of-way line of Turkey Run Drive; thence due North 540 ± Lineal Feet to a proposed manhole located 17 ± Lineal Feet West of and 17 ± Lineal Feet South of the centerline intersection of Turkey Run Drive and Skyhawk Drive; thence due North 900 ± Lineal Feet terminating at a proposed manhole located 17 ± Lineal Feet East of the center-line of Skyhawk Drive and 5 ± Lineal Feet North of the Northwest corner of Lot #29 of said addition.

LATERAL A-1-A

Commencing from a proposed manhole located 17 ± Lineal Feet East of and 17 ± Lineal Feet South of the centerline intersection of Skyhawk Drive and Turkey Run Drive; thence due South 80 ± Lineal Feet terminating at a proposed cleanout located 17 ± Lineal Feet East of the centerline of Skyhawk Drive and 5 ± Lineal Feet South of the Northeast corner of Lot #17 of said addition.

LATERAL A-2

Commencing from a proposed manhole located 17 ± Lineal Feet East of and 17 ± Lineal Feet South of the centerline intersection of Turkey Run Drive and Cimarron Pass; thence Northerly generally along the East right-of-way of Cimarron Pass 1215 ± Lineal Feet terminating at a proposed manhole located 17 ± Lineal Feet East of and 105 ± Lineal Feet North of the Northwest corner of Lot #52 of said addition.

LATERAL A-3

Commencing from a proposed manhole located 17 ± Lineal Feet South of the centerline of Turkey Run Drive and due North of the Northwest corner of Lot #9 of said addition; thence Easterly along the South right-of-way line of Turkey Run Drive 580 ± Lineal Feet, terminating at a proposed manhole located 5 ± Lineal Feet East of the most West-erly corner of Lot #1 of said addition and 17 ± Lineal Feet South of the centerline of Turkey Run Drive. Said sewers shall be 15", 12", and 8" in diameter.

the entire cost and expense of construction of said sewer to be borne by Developer, including City engineering and inspection fees, and to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

- James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Schmidt, D., Schmidt, V., Stier, Talarico

Nays: None

Date: 8-28-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-91-73 on the 28th day of August, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of August, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 29th day of August, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-08-36

RESOLUTION NO. R-61-73

RESOLUTION approving Modifying Agreement No. 1
to Contract for Community Renewal Program Grant
No. R-89 (CR).

WHEREAS, under Title I of the Housing Act of 1949, as amended, the United States of America (herein called "the Government") has tendered to the City of Fort Wayne, Indiana (herein called "the Public Body") a proposed Contract for Community Renewal Program Grant, hereinafter mentioned, pursuant to which the Government would extend a Grant of Federal funds to the Public Body to aid in financing the cost of the preparation of a Community Renewal Program, designated Community Renewal Program No. R-89 (CR) (hereinafter called the "Program"); and

WHEREAS, the Public Body by and through its Common Council gave due consideration to said proposed contract and found the same to be in the best interest of the City of Fort Wayne to execute such contract; and

WHEREAS, the Public Body by and through its Common Council authorized and directed the appropriate officers of the Public Body to take the necessary steps to execute and carry out said contract (Resolution No. R-120-71); and

WHEREAS, it is now proposed by the Government that certain changes be made and that a modifying change be executed to execute said project, which changes are as follows:

SECTION A. In Section 1 of Contract, "One Hundred Twenty-Thousand Dollars (\$120,000.00)" is replaced by "One Hundred Thirty-eight Thousand, Four Hundred Seventy-Three Dollars (\$138,473)".

SECTION B. In Section 2, "substantially of:" is replaced by "substantially of: comprehensive planning of renewal areas, especially completion of the Neighborhood Analysis.";

SECTION C. The wording of Contract unchanged by this modifying agreement remains fully in effect, and the wording of Contract changed or the wording added by this modifying agreement shall be effective, as so changed or added, in accord to the July 9th 1973 letter from Acting Area Director Choice Edwards to Mayor Ivan Lebamoff.

SECTION D. This modifying agreement shall be executed in two counterparts, of which each shall be deemed an original and of which both shall constitute one and the same instrument.

and

WHEREAS, this Public Body has given due consideration to said Modifying Agreement and found it to be in the interest of this Locality to execute such Modifying Agreement; and

WHEREAS, this Public Body is duly authorized, under and pursuant to the Constitution and laws of the State of Indiana, to undertake and carry out the preparation of the Program:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. The pending proposed Modifying Agreement No. 1 is hereby approved in all respects.

2. The Mayor of this Public Body in its behalf is hereby authorized and directed to execute said proposed Modifying Agreement in two counterparts, and the City Clerk of this Public Body is hereby authorized and directed to impress and attest the official seal of this Public Body on each such counterpart and to forward such counterparts to the U.S. Department of Housing and Urban Development, together with two certified copies of the proceedings in connection with the adoption of this Resolution, two

certified copies of this Resolution, and such other and further documents relative to the approval and execution of the Modifying Agreement as may be required by the Government.

3. This Resolution shall take effect immediately.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-61-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-09-04

RESOLUTION NO. R-67-73

A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-321 Gasoline and to Account No. 73-51 Insurance in the 1973 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 73-321 Gasoline and Account No. 73-51 Insurance, of the Fire Department, to finish the balance of the year; and

WHEREAS, there are sufficient funds in Account 73-111 Fire Salaries due to less than full employment, to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$6,200 is thereby transferred from Account No. 73-111 Fire Salaries to Account No. 73-321 Gasoline (\$5,000) and to Account No. 73-51 Insurance (\$1,200).

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-67-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-09-05

RESOLUTION NO. R-66-73

A RESOLUTION transferring certain funds from
Account No. #81-23 Instruction to Account #
81-324 Garage and Motor Supply in the Budget
of the Humane Commission.

WHEREAS, there are insufficient funds in Account No. #81-324 Garage and Motor Supply, to cover the cost of operating the Humane Commission's vehicles; and

WHEREAS, there are sufficient funds in Account No. #81-23 Instruction, to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$1,000 is hereby transferred from Account No. 81-23 Instruction to Account No. 81-324 Garage and Motor Supply.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-66-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-09-06

RESOLUTION NO. R-65-73

A RESOLUTION authorizing payment for repairs
to Police Vehicle #81 damaged in an accident.

WHEREAS, Police Vehicle #81 was damaged in an accident on June 29, 1973, and;

WHEREAS, settlement in the amount of \$102.48 was made by Farm Bureau Insurance Company, which money was receipted into the general fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$102.48, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$102.48 to Jim Kelley Buick for repairs to said police vehicle #81.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on

its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-65-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-09-07

RESOLUTION NO. R-64-73

A RESOLUTION transferring certain funds from Account No. 81-23 Instruction to Account No. 81-321 Gasoline in the 1973 Budget of the Humane Commission.

WHEREAS, there are insufficient funds in Account No. 81-321 Gasoline to finish the year; and

WHEREAS, there are sufficient funds in Account No. 81-23 Instruction to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$500.00 is hereby transferred from Account No. 81-23 Instruction to Account No. 81-321 Gasoline.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-64-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-09-08

RESOLUTION NO. R-63-73

A RESOLUTION transferring certain funds from
Account No. 62-264 Computer Services to Account
62-55 Subscriptions and Dues in the 1973 Budget
of the Controller's Office.

WHEREAS, there are insufficient funds in Account No. 62-55 Subscriptions and Dues to defray costs of various dues; and

WHEREAS, there are sufficient funds in Account No. 62-264 Computer Services to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$4,000 is hereby transferred from Account No. 62-264 Computer Services to Account No. 62-55 Subscriptions and Dues in the Controller's Office.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-63-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-09-09

RESOLUTION NO. R-62-73

A RESOLUTION transferring certain funds from
Account No. 63-111 Salaries to Account No.
63-363 Supplies in the 1973 Budget of the
Purchasing Department.

WHEREAS, there are insufficient funds in Account No. 63-363 Supplies for the purchase of Purchase Orders for the Civil City; and

WHEREAS, there are sufficient funds in Account No. 63-111 Salaries to meet actual expenditures in 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$2,000 is hereby transferred from Account No. 63-111 Salaries to Account No. 63-363 Supplies in the Purchasing Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-62-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-02-09

ZONING MAP ORDINANCE NO. Z-12-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E1, E2, F1, F2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 26, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E1, E2, F1, F2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

W. 26 ft., Lot #3, Lot #4, 5 and 6
Homestead Park Addition and Lot #1,
2 and 3 Litchfields Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-12-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-05-06

ZONING MAP ORDINANCE NO. Z-11-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map
No. BB9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

(A) The West 50 feet running full length of the following described lots:

Beginning at the southeast corner of Lot 5 of Dyke's Out Lots in the West 1/2 of the northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northwestward along the south line of said 5 and Lot 7 in Dyke's Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the south line of Spy Run Creek; thence east and along the south line of said Creek 155 feet; thence southeastward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Out Lot 5, 137.4 feet to the place of beginning, excepting that part granted to the Lincoln Highway, Allen County, Indiana.

Also

(B) Beginning at the Southeast corner of Lot 5 of Dyke's Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence northwestward along the south line of said Lot 5 and Lot 7 in said Dyke's Out Lots 308 feet; thence northward and parallel to the east line of said Lot 7 to the South line of Spy Run Creek; thence East and along the south line of said Creek 155 feet; thence southeastward in a straight line to a point in the east line of said Lot 5, 137.4 feet north of the place of beginning; thence south along the east line of said Out Lot 5, 137.4 feet to the place of beginning, except the west 50 feet of the above described property which has heretofore been sold and also except that portion of the above described property fronting the Lincoln Highway west of the City of Fort Wayne, which said portion has been appropriated by the State Highway Commission for the widening of the said Lincoln Highway along and in front of said above described property. All of said above described property being located in Allen County, Indiana.

Beginning at the Southeast corner of Lot 7 Dykes Out Lots; thence North along the East line of said Lot 7, 190 feet; thence North 92 feet to a point on the North line of Section 34, Township 31 North, Range 12 East; thence West along the North line of Section 34, 330 feet; thence South to the North line of the Goshen Road; thence Southeast along said North line of the Goshen Road to the place of beginning, containing 1 1/2 acres more or less.

And also commencing on the South line of Section 27, Township 31 North Range 12 East, 92 feet North and 330 feet West of the Northwest Corner of Lot 5 Dykes Out Lots in Section 34, Township 31 North, Range 12 East; thence North to the center of Creek, 59 feet; thence Easterly along the center line of said Creek to a point where it crosses the South line of said Section 27; thence West to the place of beginning, excepting from all of said land the following:

Beginning at the Southeast corner of Lot 5 Dykes Out Lots in the West 1/2 of the Northeast 1/4 of Section 34, Township 31 North, Range 12 East; thence Northwestward along the South line of said Lot 5 and Lot 7 in said Dykes Out Lots, 308 feet; thence Northward and parallel to the East line of said Lot 7 to the South line of Spy Run Creek; thence East and along the South line of said Creek, 155 feet; thence Southeastward in a straight line to a point in the East line of said Lot 5, 137.4 feet North of the place of beginning; thence South along the East line of said Out Lot 5, 137.4 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-11-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-05-21

ZONING MAP ORDINANCE NO. Z-13-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C3, D3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C3, D3, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The West 40 feet of Lot Number Six (6) in
J. W. Smith's Addition to the City of Fort
Wayne, Allen County, Indiana (Anthony and
Wayne)

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-13-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-06-25

ZONING MAP ORDINANCE NO. Z-14-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F7, F9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. F7, F9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Approximately 147 feet x 279 feet, Part of
Lot #29, Except the South 1,025 feet, in
J. H. Feichter Gardenvue Addition, Fort
Wayne, Allen County, St. Joseph Township,
Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-14-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-08-43

SPECIAL ORDINANCE NO. S-95-73

AN ORDINANCE approving Agreement with NOBIS-WESTROPP
CONSTRUCTION for construction of Cook Road Feeder Main
Phase II.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement dated August 13, 1973 between NOBIS-WESTROPP CONSTRUCTION as Contractor, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of Cook Road Feeder Main Phase II, as follows:

the installation of 2002+ feet of 16 inch
ductile iron water main and its appurtenances
on the Cook Road, from the existing main
at Cranberry Lane, eastward a distance of
2002+ feet, all as shown on Fort Wayne
Water Utility drawing No. Y-10458, sheets
1-3, and do everything required by the
contract documents and this agreement.

the entire cost and expense of construction of said feeder main to be borne as follows: \$18,772.82 to be borne by Fort Wayne Community Schools, \$9635.68 to be borne by the City of Fort Wayne, and to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-95-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-08-44

SPECIAL ORDINANCE NO. S-96-73

AN ORDINANCE approving a contract with KAUFFMAN & SONS for repair to storm damaged roof at WPC Maintenance Garage.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved August 9, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and KAUFFMAN & SONS, for:

Repairs to storm damaged roof at the
WPC Maintenance Garage

all for a total cost of \$10,457.00, all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 1426, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier Talarico
NAYS: None

DATE: September 11, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-96-73 on the 11th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-01

SPECIAL ORDINANCE NO. S-97-73

AN ORDINANCE approving Board of Public Works
Resolution to purchase real estate from Allen
Wood Products, Inc.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Resolution of the Board of Public Works, adopted September 10, 1973, to purchase certain real estate from Allen Wood Products, Inc., said property being commonly known as 1013 Wells Street, Fort Wayne, Indiana, and legally described as follows, to-wit:

Part of Block "A" in P. A. Randalls Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to wit:

Commencing at the Southeast corner of Lot #1 in McCulloch's Subdivision of part of Hannas Out Lots #15 and #16; thence East 22.5 feet to the West line of Wells Street; thence South 149.5 feet along said West line to the Northeast corner of Block "A", being the true point of beginning; thence West on and along the North line of Block "A", 149.2 feet (recorded 150 feet) to the Northwest corner of Block "A"; thence South by an interior angle of 90°-28' on and along the West line of Block "A", 69.5 feet (based upon H.K. Gottschalk Survey dated 11/24/39); thence Easterly along a curved line established in said Gottschalk Survey of 1939 as follows:

interior angle of 91°-12' between the West line of Block "A" and a subchord of 72.8 feet;
thence Easterly by an interior angle of 176°-40', a subchord of 30.0 feet; thence Easterly by an interior angle of 176°-15', a subchord of 75.0 feet to the Southeast corner of Block "A" (total arc distance of 177.9 feet); thence Northwesterly, by an interior angle of 71°-29', on and along the East line of said Block "A", 68.2 feet (recorded 66 feet) to the true point of beginning.

for the price of \$23,310.00, all as more particularly set forth in the proposal to purchase which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-97-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-02

SPEICAL ORDINANCE NO. S-98-73

AN ORDINANCE approving a certain bid document
with HEFNER CHEVROLET for one (1) Rescue Unit.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 532 dated August 24, 1973, between the City of Fort Wayne, by and through its Mayor and the Fire Department and HEFNER CHEVROLET for

one (1) rescue unit \$7320.15

as more specifically set forth in said bid document Ref. No. 532-and Purchase Order No. 3-18878-H which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-98-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-03

SPECIAL ORDINANCE NO. S-99-73

AN ORDINANCE approving Change Order No. 1 with
Wayne Asphalt and Construction covering additional
work on Street Resurfacing Resolution #5638-1973.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with Wayne Asphalt and Construction covering construction of a right hand turn lane on the north side of Engle Road adjacent to the Bluffton Road, resulting in an increase in the amount of \$4,417.90 in the contract price is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-99-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-72-11-04

ZONING MAP ORDINANCE NO. Z-15-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map Nos. EE-3, FF-3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-1 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map Nos. EE-3, FF-3 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Number 1 of Edsall's Subdivision of Largo Reserve as recorded by Deed Book 30, Page 16, more particularly described as being the same space as described by Deed Book 398, Page 503 and Deed Book 498, Page 408.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map Ordinance No. Z-15-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 12:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-05-05

ZONING MAP ORDINANCE NO. Z-16-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F1, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 1, 2 and 3 in Maysville Heights Addition, according to the recorded plat thereof, which appears of record in the office of the Recorder of Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-16-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-03-07

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #18 in John M. E. Riedel's Addition, commonly known as 545 Forest Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Lost by the following vote:

AYES: One

Burns

NAYS: Eight

Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

DATE: September 25, 1973

Charles W. Westerman

BILL NO. Z-73-08-41

ZONING ORDINANCE NO. Z-WITHDRAWN

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. EE-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M1 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. EE-2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

An abstract of title of:

All that part of Lot numbered thirty three (33), Hartman's subdivision of part of the West 1/2 of Section 9, Township 30 North, Range 12 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the north line of the Covington Road in Hartman's Subdivision of the west 1/2 of Section 9, Township 30 North, Range 12 East in Allen County, Indiana, said point being situated 502.0 feet east of the west line of Lot numbered thirty three (33) Hartman's Subdivision of part of the west 1/2 of Section 9, Township 30 North, Range 12 East, thence north parallel to said west line of Lot numbered thirty three (33) Hartman's Subdivision of part of the west 1/2 of Section 9, Township 30 North, Range 12 East a distance of 150.0 feet thence east parallel to the north side line of the Covington Road a distance of 70.0 feet to the west line of the Indiana Service Corporation right-of-way; thence in a southerly direction along the said west line of the Indiana Service Corporation right-of-way a distance of 150.65 feet to the aforementioned north line of the Covington Road thence west along the said north line of the Covington Road a distance of 60.0 feet to the place of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

BILL NO. G-73-08-42

GENERAL ORDINANCE NO. G-24-73

AN ORDINANCE amending the General Ordinance G-97
by authorizing the vacation of a public street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street by property owners having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on September 25, 1972 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

North 15 feet of Tillman Road from the
West property line of Calhoun Street
to the East property line of Lot 416
in Stellhorn Park Addition, Section B,
Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed

on its passage. Passed by the following vote:

AYES: Eight
Burns, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: One
Hinga

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-24-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

RESOLUTION NO. R-73-09-23

RESOLUTION NO. R-68-73

A RESOLUTION REGARDING LACK OF PUBLICATION
OF NOTICE ON CERTAIN ORDINANCES HERETOFORE
PASSED BY THE COMMON COUNCIL.

WHEREAS, Bill No. G-72-03-10 enacted into General Ordinance G-05-72 regarding the seal of the City of Fort Wayne erroneously provided in Section 3 thereof that said Ordinance should be in full force and effect from and after its passage, signature by the Mayor and legal publication thereof; and

WHEREAS, Bill S-72-02-20 enacted into Special Ordinance S-19-72 creating the Fort Wayne Economic Development Commission erroneously provided in Section 4 thereof that said Ordinance should be in full force and effect from and after its passage, signature by the Mayor and legal publication thereof; and

WHEREAS, neither General Ordinance G-05-72 nor Special Ordinance S-19-72 required legal publication in order to make said Ordinances in full force and effect; and

WHEREAS, the Clerk of the City of Fort Wayne, Indiana in neither instance of General Ordinance G-05-72 nor Special Ordinance S-19-72 did cause legal publication thereof and said action of said Clerk was in all respects correct; and

WHEREAS, said General Ordinance G-05-72 and Special Ordinance S-19-72 are in fact without said legal publication in full force and effect.

NOW, THEREFORE, in order that the record may be clearly stated,

BE IT RESOLVED: That legal publication of notice was not required for either General Ordinance G-05-72 or Special Ordinance S-19-72 and that said Ordinances are in full force and effect without said legal publication.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-68-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-11

SPECIAL ORDINANCE NO. S-100-73

AN ORDINANCE approving Change Order No. 1
with John Dehner, Inc. on Resolution No.
5621-1972 Ley Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with John Dehner, Inc., instigated in order to conform with State Highway requirements in connection with the Ley Road improvement Special Ordinance No. S-25-73, resulting in an increase in the amount of \$2,997.45 in the contract price is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

DATE: September 25, 1973

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. S-100-73 on the 25th day of September, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. S-73-09-16

SPECIAL ORDINANCE NO. S-101-73

AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET, INC. for the purchase of two (2) $\frac{1}{2}$ ton pick-up trucks less trade-ins for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 540 dated September 14, 1973, between the City of Fort Wayne, by and through its Mayor and the Street Department and HEFNER CHEVROLET, INC., for:

2 $\frac{1}{2}$ Ton pick-up trucks less	
trade-ins	\$4,739.20

as more specifically set forth in said bid document ref. no. 540 and Purchase Order No. 3-19065 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-101-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-17

SPECIAL ORDINANCE NO. S-102-73

AN ORDINANCE approving contracts for purchase of equipment necessary for installation of Street Lighting.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain Purchase Order Nos. 1886, 1887, 1888, 1889, 1890, and 1838, dated September 18, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the following companies for:

<u>Graybar Electric Company:</u> (P.O. 1887)	
285,000' #4 Aluminum wire	33,074.25
<u>Graybar Electric Company:</u> (P.O. 1888)	
30,000' #4 Aluminum wire	1,446.00
<u>American Concrete Company:</u> (P.O. 1886)	
70 #800-B28-H6 Concrete Poles	
10 #800-B28-H6 Concrete Poles	19,296.50
<u>American Concrete Company:</u> (P.O. 1889)	
80 #800-B-23-H6 Concrete Poles	
10 #X800-B23-H6 Concrete Poles	19,454.00
<u>American Concrete Company:</u> (P.O. 1890)	
130 #800-B23-H6 Concrete Poles	
20 #X800-B23-H6 Concrete Poles	32,548.00
<u>Hadco Lighting Company:</u> (P.O. 1838)	
200 175 Watt Mercury 120 volt Ballast	
200 16' Black Aluminum pole	26,000.00

all for a total cost of \$131,818.75, all as more particularly set forth on Civil City Purchase Nos. 1886, 1887, 1888, 1889, 1890, and 1838, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-102-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-18

SPECIAL ORDINANCE NO. S-103-73

AN ORDINANCE approving Bid Document No.
541 Department of Public Safety.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 541 dated September 11, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and the following companies for:

<u>General Electric Company:</u>	(P.O. 3-19105)	
Item 1 - Base Stations		10,263.00
Item 2 - 35-watt Mobiles		9,020.00
Item 3 - 110 Watt Mobiles		5,672.00
Item 6 - Installation Items 1,2, &3		1,848.00
<u>Motorola, Inc.:</u>	(P.O. 3-19106)	
Item 5 - 4-page Boy 1		1,128.80
1-page Boy 11		299.20
<u>Mavis Mobile Radio:</u>	(P.O. 3-19107)	
Item 4 - Aerotron Unit		4,480.00

all for a total City expenditure a maximum of \$43,000.00, with one-half of the actual amount spent to be reimbursed the City by the State of Indiana, all as more particularly set forth on Purchase Orders No. 3-19105, 3-19106 and 3-19107 which are on file in the Department of Purchasing which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-103-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-09-19

SPECIAL ORDINANCE NO. S-104-73

AN ORDINANCE approving Gift of Conveyance
of real estate from Robert Tremmel and Mary Inez Tremmel,
husband and wife.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement of Robert Tremmel and Mary Inez Tremmel, husband and wife, each over the age of 21 years, with the City of Fort Wayne, by and through its duly constituted authority for the real estate described as follows, to-wit:

Lot numbered 10 in Tremmel's Subdivision of
the West 150 feet of Hanna's Out Lot 16 in the
east half southwest quarter, Section 12 Township
30 North, Range 12 East, to the City of Fort
Wayne, Allen County, Indiana.

is hereby in all things ratified, confirmed and approved.

SECTION 2. The City of Fort Wayne is authorized to accept Deed of Gift for said hereinabove described real estate from Robert Tremmel and Mary Inez Tremmel, husband and wife.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-104-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973 at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-10-04

Councilman Hinga, moved to suspend the rules on passage of Bill No. S-73-10-04, at this meeting of October 9, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council

The above Bill and S-105-73 Special Ordinance was accordingly placed on its passage.

Date: 10-9-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-105-73.

ATTEST: (SEAL)

Date: 10-9-73

Charles W. Westerman
City Clerk

BILL NO. S-73-10-04

SPECIAL ORDINANCE NO. S-105-73

AN ORDINANCE approving a certain bid document with COLE NURSERY COMPANY, INC. for the purchase of street trees.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 542 dated September 20, 1973, between the City of Fort Wayne, by and through its Mayor and the Park Department and COLE NURSERY COMPANY, INC., for:

150 London Plaetrees	\$9.45/each	\$1417.50
----------------------	-------------	-----------

as more specifically set forth in said bid document Ref. No. 542 and Purchase Order No. 3-19260 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-105-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973 at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-73-10-05

Council Hinga, moved to suspend the rules on passage of Bill No. S-73-10-05, at this meeting of October 9, 1973, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Talarico, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above Bill and S-106-73 Special Ordinance was accordingly placed on its passage.

Date: 10-9-73

Winfield C. Moses, Jr.
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-106-73.

ATTEST: (SEAL)

Date: 10-9-73

Charles W. Westerman
City Clerk

BILL NO. S-73-10-05

SPECIAL ORDINANCE NO. S-106-73

AN ORDINANCE approving a certain bid document with C. M. HOBBS & SONS, INC. for the purchase of street trees.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 542 dated September 20, 1973, between the City of Fort Wayne, by and through its Mayor and the Park Department and C. M. HOBBS & SONS, INC. for:

3,475 trees

\$21,265.00

as more specifically set forth in said bid document Ref. No. 542 and Purchase Order No. 3-19261 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-106-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973 at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-08

RESOLUTION NO. R-71-73

A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-37 Supplies within the 1973 Budget of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-37 Supplies to meet actual expenditures for Police Garage; and

WHEREAS, there are sufficient funds in Account No. 71-111 Salaries due to operating at less than full employment.

NOW THEREFORE BE IT RESOLVED THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries \$6,000.00

To:

Account No. 71-37 Supplies

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Steir, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-71-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presidign Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-09

RESOLUTION NO. R-72-73

A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-132 Educational Incentive within the 1973 Budget of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-132 Educational Incentive; and

WHEREAS, there are sufficient funds in Account No. 71-111 Salaries due to operating at less than full employment.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries \$14,000.00

to:

Account No. 71-132 Educational Incentive

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-72-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M.E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-10

RESOLUTION NO. R-73-73

A RESOLUTION transferring certain funds from Account No. 66-266 Public Lighting to Account No. 66-362 Stationery & Printing with the 1973 Budget of the Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-362 Stationery & Printing to defray increased expenses in Xerox supplies and increased expenses in administering Revenue Sharing projects; and

WHEREAS, there is sufficient funds in Account No. 66-266 Public Lighting.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-266 Public Lighting \$2,000

To:

Account No. 66-362 Stationery & Printing

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-73-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M.,E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M.,E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-12

RESOLUTION NO. R-74-73

A RESOLUTION transferring certain funds from
Account No. 71-111 Salaries to 71-321 Gasoline
with the 1973 Budget of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-321 Gasoline due to greater than planned usage and higher prices than anticipated; and

WHEREAS, there are sufficient funds in Account No. 71-111 Salaries.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries \$20,000.00

To:

Account No. 71-321 Gasoline

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-74-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-13

RESOLUTION NO. R-75-73

A RESOLUTION transferring certain funds from
Account No. 71-111 Salaries to Account No.
71-726 Other Equipment in the 1973 Budget
of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-726 Other Equipment to match several grants approved by the City of Fort Wayne; and

WHEREAS, there are sufficient funds in Account No. 71-111 Salaries due to operating at less than full employment.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following Account:

From Account No. 71-111 Salaries \$13,000.00

To:

Account No. 71-726 Other Equipment

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its Passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-75-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73010-14

RESOLUTION NO. R-76-73

A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-362 Stationery & Printing within the Budget of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-362 Stationery & Printing to meet actual expenditures in 1973; and

WHEREAS, there are sufficient funds in Account No. 71-111 due to operating at less than full employment.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries \$1,5000.00

To:

Account No. 71-362 Stationery & Printing

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-76-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973,

at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-15

RESOLUTION NO. R-77-73

A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No, 71-363 Office Supplies within the 1973 Budget of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-363 Office Supplies to meet actual expenditures in 1973; and

WHEREAS, there are sufficient funds in Account No. 71-111 Salaries due to operating at less than full employment.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries	\$8000.00
-----------------------------	-----------

To:

Account No. 71-363 Office Supplies

John Nuckols
Councilman

Read the third time in full by Hinga, seconded by Talarico, and duly adopted, placed on its passage.
PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-77-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973,
at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-16

RESOLUTION NO. R-78-73

A RESOLUTION transferring certain funds from Account No. 62-062 Retirement to Account No. 62-055 Dues & Subscriptions, in the 1973 Budget of the Controller's Office.

WHEREAS, there are insufficient funds in Account No. 62-055 to permit Civil City to pay annual

membership to Indiana Association of Cities & Towns.

WHEREAS, there are sufficient funds in Account No. 62-062 Retirement.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 62-062 Retirement \$4,000

To Account No. 62-055

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-78-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-17

RESOLUTION NO. R-79-73

A RESOLUTION transferring certain funds from
Account No. 66-266 to Account No. 66-241 within
the 1973 Board of Works Budget.

WHEREAS, there are insufficient funds in Account No. 66-241 Printing to defray greater than anticipated costs of printing; and

WHEREAS, there are sufficient funds in Account No. 66-266 Public Lighting.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Following sum is hereby transferred from the following account:

Account No. 66-266 Public Lighting \$1,000

To:

Account No. 66-241 Printing.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, places on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-79-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-18

RESOLUTION NO. R-80-73

A RESOLUTION transferring certain funds from
Account No. 20-84-111 Salaries to Account No.
20-84-370 Other Supplies in the 1973 Aviation Budget.

WHEREAS, there are insufficient funds in Account No. 20-84-370 for repair of underground runway lighting cable, and replacement of isolation transformers; and

WHEREAS, there are sufficient funds in Account No. 20-84-111 Salaries.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum in hereby transferred from the following account:

Account No. 20-84-111 Salaries \$1600.00

To:

Account No. 20-84-370.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-80-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-19

RESOLUTION NO. R-81-73

A RESOLUTION transferring certain funds from
Account No. 62-062 Retirement to Account No. 62-213
Travel in the 1973 Budget of the Controller's Office.

WHEREAS, there are insufficient funds in Account No. 62-213 Travel to offset expenses incurred by three unplanned trips; and

WHEREAS, there are sufficient funds in Account No. 62-062 Retirement to cover such expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following Account:

Account No. 62-062 Retirement \$1,000.00

To:

Account No. 62-213 Travel.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-81-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-20

RESOLUTION NO. R-82-73

A RESOLUTION transferring certain funds from
Account No. 62-062 Retirement to Account No.
62-363 Supplies in the 1973 Budget of the
Controllers's Office.

WHEREAS, there are insufficient funds in Account No. 62-363 Supplies to cover the cost of office supplies for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 62-062 Retirement to cover such costs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following Account:

Account No. 62-062 Retirement \$1,5000.00

To:

Account No. 62-363 Supplies.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-82-73 on the 9th day of October, 1973,

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-21

RESOLUTION NO. R-83-73

A RESOLUTION transferring certain funds from
Account No. 20-84-111 Salaries to Account No.
20-84-323 Tires & Tubes in the 1973 Aviation Budget.

WHEREAS, there are insufficient funds in Account No. 20-84-823 Tires & Tubes to cover expenses for tractor and mower tires; and

WHEREAS, there are sufficient funds in Account No. 20-84-111.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

20-84-111 Salaries \$300.00

To:

Account No. 20-84-323 Tires & Tubes

J
ohn Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
, Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-83-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973,
at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebameff
MAYOR

BILL NO. R-73-10-22

RESOLUTION NO. R-84-73

A RESOLUTION transferring certain funds from Account No. 66-111 Salaries to Account No. 66-37 Other Supplies within the 1973 Budget of the Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-37 Other Supplies to cover expenses for additional supplies for the remainder of 1973; and

WHEREAS, there are sufficient funds in Account No. 66-111 Salaries.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-111 Salaries \$700

To:

Account No. 66-37 Other Supplies.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-84-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C, Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Gort Wayne, Indiana, on the 10th day of October, 1973,
at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-23

RESOLUTION NO. R-85-73

A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-131 Shift Differential within the 1973 Budget of the Police Department.

WHEREAS, there are insufficient funds in account No. 71-131 Shift Differential to cover expenditures for additional policemen needed on second and third shifts where crime incidents are greatest; and

WHEREAS, there are sufficient funds in account No. 71-111 due to operating at less than full employment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries \$19,000.00

To:

Account No. 71-131 Shift Differential.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-85-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-24

RESOLUTION NO. R-86-73

A RESOLUTION transferring certain funds from
Account No. 66-111 Salaries to Account No.
66-221 Electric Current in the 1973 budget
of the Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-221 Electric Current to cover charges for Board of Works pro-rate share of electric current for 1973; and

WHEREAS, there are sufficient funds in Account No. 66-111 Salaries to cover such expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-111 Salaries \$2,7000.00

To:

Account No. 66-221 Electric Current.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-86-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1963, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-25

RESOLUTION NO. R-87-73

A RESOLUTION transferring certain funds from Account No. 71-111 Salaries to Account No. 71-331 Laundry within the 1973 Budget of the Police Department.

WHEREAS, there are insufficient funds in Account No. 71-331 Laundry to meet expenses greater than anticipated in 1973; and

WHEREAS, there are sufficient funds in Account No. 71-111 Salaries due to operating at less than full employment.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 71-111 Salaries \$200.00

To:

Account No. 71-331 Laundry

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-87-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-26

RESOLUTION NO. R-88-73

A RESOLUTION transferring certain funds from
Account No. 20-84-111 Salaries to Account No.
20-84-640 Taxes in the 1973 Aviation Budget.

WHEREAS, there are insufficient funds in Account No. 20-84-640 Taxes to cover liability for gross income tax; and

WHEREAS, there are sufficient funds in Account No. 20-84-111 Salaries due to less than full employment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following Account:

Account No. 73-84-111 Salaries \$1,400

To:

Account No. 20-84-640 Taxes.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-88-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-27

RESOLUTION NO. R-89-73

A RESOLUTION transferring certain funds from
Account No. 62-062 Retirement to Account No.
62-214 Telephones in the 1973 Budget of the
Controller's Office.

WHEREAS, there are insufficient funds in Account No. 62-214 Telephones to cover telephone costs for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 62-062 Retirement to cover said telephone costs for 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 62-062 Retirement \$10,000

To:

Account No. 62-214 Telephone.

John Nuckols
COUNCILMAN

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-89-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield G. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-28

RESOLUTION NO. R-90-73

A RESOLUTION transferring certain funds from Account No. 66-111 Salaries to Account No. 66-265 Community Affairs in the 1973 Budget of the Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-265 Community Affairs due to an increase in the number of various community activities undertaken in 1973; and

WHEREAS, there are sufficient funds in Account No. 66-111 to cover such expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-111 Salaries \$2,000.00

To:

Account No. 66-265 Community Affairs.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-90-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-29

RESOLUTION NO. R-91-73

A RESOLUTION transferring certain funds from
Account No. 66-111 Salaries to Account No.
66-225 Sewage in the 1973 Budget of the Board
of Works.

WHEREAS, there are insufficient funds in Account No. 66-225 Sewage to cover charges for Board of Works pro-rate share of sewage expenses for 1973; and

WHEREAS, there are sufficient funds in Account No. 66-111 Salaries to cover such expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-111 Salaries \$200.00

To:

Account No. 66-225 Sewage.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-91-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-30

RESOLUTION NO. R-92-73

A RESOLUTION transferring certain funds from
Account No. 20-84-111 Salaries to Account
20-84-253 Repairs of Runways in the Aviation Budget.

WHEREAS, there are insufficient funds in Account No. 20-84-253 of Runways to perform needed repairs; and

WHEREAS, there are sufficient funds in Account No. 20-84-111 Salaries.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 20-84-111 Salaries \$6,000

To:

Account No. 20-84-253 Repairs to Runways

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckold, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-92-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-31

RESOLUTION NO. R-93-73

A RESOLUTION transferring certain funds from
Account No. 66-242 Publications of Legal Notices
to Account No. 66-241 Printing in the 1973 Budget
of the Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-241 Printing to defray greater than anticipated costs for Xerox rental charges in the year 1973; and

WHEREAS, there are sufficient funds in Account No. 66-242 Publications of Legal Notices to cover such costs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-242 Publications of Legal Notices \$2,500.00

To:

Account No. 66-241 Printing.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-93-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. R-73-10-32

RESOLUTION NO. R-94-73

A RESOLUTION transferring certain funds from
Account No. 66-111 Salaries to Account No.
66-23 Instruction in the 1973 Budget of the
Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-23 Instruction to defray expenses associated with purchase of instructional materials for management personnel as well as attendance expenses at relevant seminars/classes for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 66-111 Salaries to cover such expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-111 Salaries

\$300.00

To:

Account No. 66-23 Instruction.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-94-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. Z-73-06-10

ZONING MAP ORDINANCE NO. Z-17-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. DD-13.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. DD-13, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to wit:

A Parcel of land situated in that part of the Southeast Quarter of The Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying north and east of the center line of the public highway known as the Goshen Road and U.S. Highway No. 30, and west of the right-of-way of the Grand Rapids and Indiana Railroad; as by metes & bounds below described, to wit:

Commencing on the center line of the public highway known as the Goshen Road at a point situated 843.7 feet southeasterly of the point of intersection of said highway center line by the north line of the southeast quarter of the northeast quarter of the said section; thence continuing southeasterly on the said highway center line, 80.0 feet; thence northeasterly on a line normal to the said highway center line, 394.0 feet to the west line of the right-of-way of the Grand Rapids & Indiana Railroad; thence north on the said right-of-way line, 105.9 feet to a point situated 337.7 feet south of its intersection by the north line of the southeast quarter of the northeast quarter of said section; thence southwesterly on a line normal to the said highway center line, 463.4 feet to the point of beginning; SUBJECT to the public highway upon the southwest 45.0 feet thereof.

NOTE: Dimensions of side lines of parcels run to center line of highway.

Two (2) parcels of land situated in that part of the Southeast Quarter of the Northeast Quarter of Section 28, Township 31 North, Range 12 East, lying north and east of the center line of the public highway known as the Goshen Road and U.S. Highway No. 30, and west of the right-of-way of the Grand Rapids and Indiana Railroad; as by metes and bounds below described, to-wit:

Commencing on the center line of the public highway known as the Goshen Road at a point situated 603.7 feet southeasterly of the point of intersection of said highway center line by the north line of the southeast quarter of the northeast quarter of the said section; thence continuing southeasterly on the said highway center line 80.0 feet; thence northeasterly on a line normal to the said highway center line, 602.2 feet to the west line of the right-of-way of the Grand Rapids & Indiana Railroad; thence north on the said right-of-way line, 105.9 feet to a point situated 20.0 feet south of its intersection by the north line of the southeast quarter of the northeast quarter of said section; thence southwesterly on a line normal to the said highway center line 671.7 feet to the point of beginning. Subject to the public highway upon the southwest 45.0 feet thereof.

Commencing on the center line of the public highway known as the Goshen Road at a point situated 683.7 feet southeasterly of the point of intersection of said highway center line by the north line of the southeast quarter of the northeast quarter of the said section; thence continuing southeasterly on the said highway center line, 80.0 feet; thence northeasterly on a line normal to the said highway center line 532.8 feet to the west line of the right-of-way of the Grand Rapids & Indiana Railroad; thence north on the said right-of-way line, 105.9 feet to a point situated 125.9 feet south of its intersection by the north line of the southeast quarter of the northeast quarter of said section; thence southwesterly on a line normal to the said highway center line 602.2 feet to the point of beginning. Subject to the public highway upon the southwest 45.0 feet thereof.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 3-17-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. Z-73-06-13

ZONING MAP ORDINANCE NO. Z-18-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA7, AA9.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. AA7, AA9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 4 and 5 and the South 42, 45 front line feet of
Lot 6 of Jacob Bittler's Subdivision, City of Fort Wayne, Indiana,
commonly known as 630 West State Boulevard, Fort Wayne, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-18-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. Z-73-08-20

ZONING ORDINANCE NO. Z-19-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. CC14.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. CC14 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 21 through 37, and Lots 44 through 61, Elzey's Fourth to
Waynedale Addition.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-19-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. G-73-09-22

GENERAL ORDINANCE NO. G-25-73

AN ORDINANCE amending the master plan of the City of Fort Wayne by authorizing the vacation of four lots in Woodlawn Park.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of four lots by NORTHSIDE FINANCE CORP. having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission of July 23, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Replacement, Sec. 53-744), the Master Plan of the City of Fort Wayne is amended by deleting the following lots in Fort Wayne, Allen County, Indiana, to-wit:

Lots 1, 2, 3 and 4, Woodlawn Park, an Addition to the City of Fort Wayne.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. G-25-73 on the 9th day of October, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. X-72-12-10

ANNEXATION ORDINANCE NO. X-01-73

AN ORDINANCE ANNEXING certain territory to the
City of Fort Wayne and including the same in
Councilmanic District No.

WHEREAS, more than fifty one percent (51%) of the owners of the hereafter described real estate have petitioned the Common Council of the City of Fort Wayne, Indiana to enact an ordinance to annex said real estate to the City of Fort Wayne, Indiana; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Begin at a point 25.0 feet east and 20.0 feet north of the southwest corner of Section 32, T. 30 N.; R. 12 E., as defined by the intersection of the North and east right-of-way lines of Dalman Road and Smith Road; thence north along the east right-of-way line of Smith Road a distance of 2620 feet; thence easterly along the north line of the south half of said Section 32 a distance of 5260.0 feet to the west line of Section 33, T. 30 No.; R. 12. E., thence north along said west line of Section 33 a distance of 1000.0 feet; thence south 88° 02' east along an existing line fence, a distance of 750.0 feet more or less to the centerline of Harber Fairfield Ditch; thence southeasterly along the centerline of Harber Fairfield Ditch a distance of 1780.0 feet more or less to the easterly right-of-way line of Old State Road 3; thence southwesterly along the east right-of-way of Old State Road 3 to a point of the south line of Section 33, a distance of 2235 feet more or less; thence westerly along the south line of Section 33, a distance of 111.0 feet, more or less, to the intersection of the westerly right-of-way line (projected) of State Road 3; thence southwesterly along the west limited access right-of-way of State Road 3 a distance of 1675.0 feet more or less, to the end of said limited access right-of-way; thence easterly along said property line to a point 40.0 from the centerline of State Road 3; thence southwesterly along the west right-of-way line of State Road 3 to the south line of the north half of section 5; T. 29 No., R. 12E., a distance of approximately 810.0 feet; thence westerly along the south line of the north half of Section 5 a distance of 2850.0 feet more or less, to a point 1700.0 feet east of the West line of Section 5; thence north a distance of 2100 feet to the North right-of-way line of Dalman Road; thence westerly along the North right-of-way of Dalman Road a distance of 1680.0 feet more or less to the point of beginning.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is from and after its passage, approval by the Mayor and sixty (60) day after legal publication thereof.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval

by the Mayor, and sixty (60) days after legal publication.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Kraus, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stier

Date: 10-9-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-01-73 on the 9th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Winfield C. Moses, Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of October, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of October, 1973, at the hour of 11:05 o'clock A.M., E.S.T.

Ivan A. Lebamoff
MAYOR

BILL NO. S-73-09-24

Special Ordinance No. S-121-73
S-106-73

A SPECIAL ORDINANCE approving the creation of two new positions - Chief Parochial School Physician and Assistant Parochial School Physician - within the department of the Board of Health and amending the Board of Health Salary Ordinance by fixing the salary for such positions for the year 1973.

WHEREAS, the Board of Health has agreed that five parochial school physicians should be replaced by one Chief Parochial School Physician and one Assistant Parochial School Physician; and

WHEREAS, it is desirable to employ a semi-retired physician for the Chief Physician job so as to allow for more time in the schools.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. There is hereby created within the department of the Board of Health the position of Chief Parochial School Physician, which position shall be filled by a semi-retired physician.

SECTION 2. The Board of Health Salary Ordinance for 1973 is hereby amended by providing that the annual salary for such position for the year 1973 shall be \$5,000.00.

SECTION 3. There is hereby created within the department of the Board of Health the position of Assistant Parochial School Physician.

SECTION 4. The Board of Health Salary Ordinance for 1973 is hereby amended by providing that the annual salary for such position for the year 1973 shall be \$2,000.00.

SECTION 5. This Ordinance shall be in full force and effect from and after passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Kraus, D. Schmidt

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-106-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-03

SPECIAL ORDINANCE NO. S-107-73

AN ORDINANCE approving a certain bid document with MEEK MACK, INC. for the purchase of an aerial scope for the Fire Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 533 dated August 13, 1973, between the City of Fort Wayne, by and through its Mayor and the Fire Department and MEEK MACK, INC., for:

one (1) 75 Foot Telescoping Aerial	
Platform	114,717.72

as more specifically set forth in said bid document ref. no. 533 and Purchase Order No. 3-19108H which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-107-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-06

SPECIAL ORDINANCE NO. S-108-73

AN ORDINANCE approving an agreement with
L. W. DAILEY, INC. for paving of Dalewood Drive.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved September 27, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and L. W. DAILEY, INC. for paving of Dalewood Drive as follows:

Dalewood Drive from the east property line of
Chancellor Drive to the west property line
of Elwood Drive, to a width of 27 feet, in-
cluding curbs, side-walks and street lighting

for a total cost of \$65,913.20, of which the City will pay approximately \$29,000.00, the balance to be paid by property owners under the Barrett Law, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED BY the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-108-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-07

SPECIAL ORDINANCE NO. S-109-73

AN ORDINANCE approving a certain bid document with HEINE TURF for one (1) industrial equipment trailer and three (3) rotary mowers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 534 dated August 13, 1973, between the City of Fort Wayne, by and through its Mayor and the Park Department and Heine Turf Equipment for:

one (1) Industrial Equipment Trailer	761. 00
Three (3) Riding Rotary Mowers	5,717.70

as more specifically set forth in said bid document Ref. No. 534 and Purchase Order No. 3-18814 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-109-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-44

: RESOLUTION NO. R-96-73

A RESOLUTION transferring certain funds from Account No. 66-266 Public Lighting to Account No. 66-363 Other Office Supplies within the 1973 Budget of the Board of Works.

WHEREAS, there are insufficient funds in Account No. 66-363 Other Office Supplies due to greater than anticipated expenses in administering various facets of Revenue Sharing Projects; and

WHEREAS, there are sufficient funds in Account No. 66-266 Public Lighting.

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 66-266 Public Lighting \$500

To:

Account No. 66-363 Other Office Supplies.

John Nuckols
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, ~~Kraus~~, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-96-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-45

RESOLUTION R-97-73

A RESOLUTION transferring certain funds from Account No. 85-62 Retirement and Social Security to Account No. 85-35 Recreation Supplies in the 1973 Budget of the Park Dept.

WHEREAS, there are insufficient funds in Account No. 85-3-35 Recreation Supplies, to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-62 Retirement and Social Security to cover said expenses.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-6-62 Retirement & Social Security \$2,500

To:

Account No. 85-3-35 Recreation Supplies

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-97-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-46

RESOLUTION NO. R-98-73

A RESOLUTION transferring certain funds from Account No. 85-62 Retirement & Social Security to Account No. 85-55 Subscriptions & Dues in the 1973 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account No. 85-55 Subscriptions & Dues to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-6-62 Retirement & Social Security to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-6-62 Retirement & Social Security 4250.00

To:

Account No. 85-5-55 Subscriptions & Dues.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R=98-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, JR.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M.E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-47

RESOLUTION NO. R-99-73

A RESOLUTION transferring certain funds from Account No. 85-62 Retirement & Social Security to Account No. 85-726 Other Equipment in the 1973 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account NO. 85-726 Other Equipment, to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-6-62 Retirement & Social Security to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-6-62 Retirement & Social Security \$8,150.00

To:

Account No. 85-7-726 Other Equipment

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: ONE
Kraus

Date: 19-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution

No. R-99-73 on the 23rd day of October, 1973,

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-10-48

RESOLUTION NO. R-100-73

A RESOLUTION authorizing the temporary advancement of funds from the Park Trust, Park Cumulative, Redevelopment Capital, Motor Vehicle Highway, Sewer Relief, Public Lighting, St. Marys River Impoundment and Local Road and Street funds to the General Fund, Park General, Police Pension and Fire Pension funds for the period ending December 31, 1973.

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of General Fund, Park General, Police Pension and Fire Pension of the City of Fort Wayne, and

WHEREAS, there is sufficient money on deposit to the credit of Park Trust, Park Cumulative, Redevelopment Capital, Motor Vehicle Highway, Sewer Relief, Public Lighting, St. Marys Impoundment and Local Road And Street funds of the City of Fort Wayne which can be temporarily advanced or transferred to said General Fund, Park General, Police Pension and Fire Pension funds.

NOW THEREFORE BE IT RESOLVED, the Controller of the City of Fort Wayne be and is hereby authorized and directed to transfer the sum of \$2,565,000 from the Park Trust \$90,000, Park Cumulative \$175,000, Redevelopment Capital \$300,000, Motor Vehicle Highway \$300,000, Sewer Relief \$300,000, Public Lighting \$350,000, St. Marys \$250,000, and Local Road and Street \$800,000 funds to the General Fund \$2,075,000, Park General \$300,000, Police Pension \$110,000, and Fire Pension \$80,000 which said sums shall be returned and repaid to the Park Trust \$90,000, Park Cumulative \$175,000, Redevelopment Capital \$300,000, Motor Vehicle Highway \$300,000, Sewer Relief \$300,000, Public Lighting \$350,000, St. Marys \$250,000, and Local Road and Street \$800,00 funds on or before December 31, 1973.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-100-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

To: Councilmen and Mayor
 From: Charles W. Westerman, City Clerk
 Subject : R-73-10-43 (Bill Passed in Error)

Date: October 25, 1973

To Whome it may concern:

I, the City Clerk of Fort Wayne, on October 23, 1973, have informed the Mayor and the Controller of the City of Fort Wayne that the Common Council is being duly notified that Bill No. R-73-10-43 was found to be acted upon in error, because of the following reasons:

This bill so described transfers appropriated money that requires an appropriation action, and an Ordinance properly drawn and described as an Appropriation Ordinance or a General Ordinance that would be treated as an appropriation transferal action. I, hereby state that said Resolution passed would be in violation of a State Law. The Controller concurs in this action related to Bill No. R-73-10-43.

I further requested that the Mayor withhold his approval to the Resoltuion at this time.

Said Bill No. R-73-10-43, after properly prepared, should be reintroduced at our November 13, 1973, Common Council Regular Session. The Chairman of the Finance Committee then and there should declare a public hearing to be held on November 27, 1973, then I, the Clerk will so publish said order of public hearing on said Ordinance with a 10 day notice to the general public. If the Finance Committee returns the bill to the Common Council with their recommendation on November 27, 1973, said bill can then be placed in line for passage.

Therefore, I, Charles W. Westerman, City Clerk of Fort Wayne, hereby serve this communication to the nine duly elected members of the Common Council, the Mayor of the City of Fort Wayne, Ivan A. Lebamoff, the City Attorney, Dave Keller, and the Controller, Edward Kamnikar, and request that the respected body of officials of Fort Wayne concur in my action and void the action taken on the 23rd day of October, 1973, Regular Session of Common Council, related to the above bill.

Respectfully,

Charles W. Westerman
 City Clerk

To: Charles W. Westerman, City Clerk
 From: Mayor Ivan A. Lebamoff
 Subject: R-73-10-43 (Bill Passed in Error)

Dear Mr. Clerk:

I received your Memo of October 25, 1973 regarding the above captioned matter.

Please be advised that I have complied with your request and I have withheld my approval to this Resolution.

I shall be pleased to sign this Bill after the legal technicalities are fully taken care of to your satisfaction.

Ivan A. Lebamoff
 Mayor

Bill No. R-73-10-43

RESOLUTION NO. R-95-73

A RESOLUTION transferring certain funds
 from Account No. 85 Park General Fund
 to Account No. 85-2-261 Miscellaneous
 Contractual Services.

WHEREAS, there are insufficient funds in Account No. 85-2-261 Misellaneous Contractual Services, for the year 1973, due to the demolishing of the removing of debris from the burned Franke Park Theatre and due to replacing items stored in this building; and

WHEREAS, there are sufficient funds in Account No. 85 Park General Fund; and

WHEREAS, reimbursement for these expenditures has been included in the insurance indemnities totaling \$119,859, received and receipted into the Park General Fund as compensation for this fire loss.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85 Park General Fund \$10,600

To:

Account No. 85-2-261 Miscellaneous Contractual Services.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 Kraus

Date: 10-23-73

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the Ctiy of Fort Wayne, Indiana, as Resolution No. R-95-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-95-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Winfield C. Moses, Jr.
 Presiding Officer

BILL NO. Z-73-08-22

ZONING MAP ORDINANCE No. Z-20-73

AN ORDINANCE amending the City of Fort Wayne
 Zoning Map No. JJ1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. JJ1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the fractional Northwest Quarter
 of Section 7, Township 30 North, Range
 12 East, in Allen Count, Indiana, in
 particular described as follows, to wit:

Commencing on the North line of said
 Quarter Section as by the centerline of
 the pavement in the Illinois Road, also
 designated as State Highway No. 14, de-
 fined, at a point situated 422.7 feet
 East of the Northwest corner of said
 Section; thence running East along the
 line aforesaid, 629 feet; thence South
 on a line normal to the line aforesaid,
 a distance of 500 feet; thence West and
 parallel to the said road centerline, a
 distance of 629 feet; thence North on a
 line normal to said road centerline, a
 distance of 500 feet to the place of
 beginning; containing 7.22 acres of land;
 SUBJECT TO public highway upon and over
 the North 40 feet thereof, occupied by
 said highway;

SUBJECT TO an easement over PARCEL No. 1
 Project I-69-4-(12) 105 Limited Access
 Right-of-way; containing 0.959 acres, more
 or less, conveyed to the State of Indiana
 by Clerk's Deed recorded in Deed Book
 682, pages 269 and 270, pursuant to Cause
 No. 5252 Circuit Court of Allen County,
 Indiana;

SUBJECT TO an easement over PARCEL No. 1
 Permanent Right-of-way Project I-69-4 (12) 105;
 containing 1.094 acres, more or less,
 conveyed to the State of Indiana by Clerk's
 Deed recorded in Deed Book 682, pages 271-
 272, pursuant to Cause No. 5252 Circuit
 Court of Allen County, Indiana;

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-20-73 on the 23rd day of October, 1973,

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor Ivan A. Lebamoff

BILL NO. Z-73-08-24

ZONING MAP ORDINANCE NO. Z-21-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC24.

BE IT ORDINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M-2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. CC24 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Northwest Quarter and Part of the Southwest Quarter of Section 10, Township 29 North, Range 12 East, in Allen County, Indiana, more particularly described as follows:

Beginning at the northeast corner of the Northwest Quarter of Sec. 10, Township 29 North, Range 12 east in Allen County, Indiana; thence south along the east line of the NW1/4 and the SW1/4 of Sec. 10-29-12 a distance of 3084.1 feet; thence west by a deflection angle to the right of 88 degr. 31 min 40 sec. a distance of 1326.5 feet to a point on the west line of the east half of the SW1/4 of Sec. 10-29-12; thence north along the west line of the east half of the SW1/4 and the NW1/4 of Sec. 10-29-12, by a deflection angle to the right of 91 degr. 24 min. 01 sec. a distance of 3095.1 feet to a point on the north line of the NW1/4 of Sec. 10-29-12; thence east along said line by a deflection angle to the right of 89 degr. 04 min. 40 sec. a distance of 1330.14 feet to the point of beginning, containing 94.19 acres, more or less, subject to road right of way and easements.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
V. Schmidt
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-21-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973., at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-08-38

ZONING ORDINANCE NO. Z-22-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A17.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an M2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. A17 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

A part of the Northeast Quarter of Section 23, Township 31 North Range 12 East in Allen County, Indiana, specifically described as follows: Commencing at a point 1304.3 feet South of and 50 feet East of the Northwest corner of the Northeast Quarter of said Section 23-31-12, said point being on the East right of way line of the New York Central Rail Road, thence East a distance of 645.52 feet to a point, thence South 0 degrees 06 minutes East a distance of 1347.46 feet to a point on the South line of said quarter section, thence West along said quarter section line a distance of 647.6 feet to a point on the East right of way line of the New York Central Rail Road, thence North along said East right of way line a distance of 1347.42 feet to the point of beginning, containing 20 acres, more or less. Recorded in Deed Book 662 pages 379 & 380.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-22-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-08-40

ZONING ORDINANCE NO. Z-23-73

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. G-5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. G5 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot 33 Curdes Homewood Acres,
Lot 34 Curdes Homewood Acres

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-23-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-08-21

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F1-F2.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. F1-F2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #44 Eastwood Addition, commonly known as 3714 New Haven Avenue and Lot #45 Eastwood Addition, commonly known as 3718 New Haven Avenue, generally located on the south side of New Haven Avenue, three lots west of Redwood Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: one
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-23

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. D9 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 10-23-73

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-39

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map NOC BB4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. BB4 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot number 114 in W. J. and M. S. Vesey's Second Addition to the City of Fort Wayne except the east 115 feet thereof. Recorded by instrument number 72-25129 and part of lot number 115 in W.J. and M.S. Vesey's Addition to the City of Fort Wayne, commencing at the intersection of the East line of Broadway and the North line of Packard Avenue, thence north along the east line of Broadway in the City of Fort Wayne, Indiana a distance of 43.95 feet, thence east along the north line of said lot 115 a distance of 91.8 feet, thence south on a line parallel to the east line of said lot 115 a distance of 38.75 feet to a point on the north line of Packard Avenue in the City of Fort Wayne, Indiana, thence west along said north line of Packard Avenue a distance of 112 feet to place of beginning. Recorded by instrument number 72-21545.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
Burns
Nays: Seven
Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Absent: One
Kraus
Date: 10-23-73

Charles W. Westerman
City Clerk

BILL NO. G-73-09-14

GENERAL ORDINANCE NO. G-26-73

AN ORDINANCE amending Sections 3 and 14 of the Zoning Ordinance of the City of Fort Wayne, Indiana, pertaining to the definitions of GroupHomes and Half-Way Houses and for their location in certain districts as permitted uses.

WHEREAS, over the past several years the City of Fort Wayne, and other cities throughout the country, have begun to experience the growth of a new type of care facility called the group home; and,

WHEREAS, this growth is a recognition that some persons who are categorized as physically, mentally or socially handicapped are not best served by the process of institutionalization and their potential for rehabilitation and ultimate return to the community as self-sufficient, productive members of society is greatly enhance by placing them in a temporary residential group facility in a residential environment; and,

WHEREAS, the current zoning ordinance of the City of Fort Wayne makes no provision for such uses as permitted or otherwise, except as contingent or special uses at the discretion of the Board of Zoning Appeals, and this seriously and adversely affects the planning, development, and operation of these group care facilities, contrary to the purpose of the zoning ordinance which is to promote and not hinder the public health, safety, comfort, morals, convenience, and general public welfare; and,

WHEREAS, this situation should be remedied by amending the Zoning Ordinance to define Group Homes and Half-Way Houses and by providing for them as permitted uses in certain limited residential areas.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. Section 3 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 3. Definitions.

(61) Extended Group Home - A facility located in a residential community providing shelter and/or rehabilitation for from seven (7) to fourteen (14) children under the age of eighteen (18) years, referred by a governmental body or duly licensed social service agency, who for various reasons cannot reside in their family home. Twenty-four hour adult supervision is mandatory and professional supervision and consultation is available to both child care staff and children. The purpose of this type of facility is to provide a service for the child who does not need the structure of an institution in that he does not present a threat to the community, yet is not a foster home candidate. The goal of the service is to return home, other placement or emancipation, depending upon the age of the child and the circumstances of his family.

(62) Half-Way House - A resident facility for sixteen (16) or less persons eighteen (18) years of age or older, referred by a governmental body or duly licensed social service agency, which provides short-term rehabilitative services in a transitional environment, to persons who are physically, emotionally or socially handicapped. The goal of the service is to aid the individual's successful re-entry into the community as an independent and a productive member.

(63) Limited Group Home - A facility located in a residential community providing shelter and/or rehabilitation for six (6) or less children under the age of eighteen (18) years, referred by a governmental body or duly licensed social service agency, who for various reasons cannot reside in their family home. Twenty-four hour adult supervision is mandatory and professional supervision and consultation is available to both child care staff and children. The purpose of this type of facility is to provide an service for the child who does not need the structure of an institution in that he does not present a threat to the

community, yet is not a foster home candidate. The goal of the service is to return home, other placement or emancipation, depending upon the age of the child and the circumstances of his family.

SECTION 2. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. Permitted Uses - Specified Districts.

"A" "R1" District - One family Residence.

- (1) One Family Dwelling.
- (2) Public Park or Recreation Area.
- (3) Church, Public or Parochial Primary or Secondary School, including attached or free standing announcement or bulletin board, not exceeding 24 square feet in area.
- (4) Home Occupation.
- (5) Limited Group Home, if its location is first approved by the Board following a public hearing.
- (6) Day Nursery, if its location is first approved by the Board following a public hearing.
- (7) Accessory Building and Use.
- (8) Name Plate or Sign - One per dwelling unit not exceeding 1 square foot in area; unlighted signs not exceeding 12 square feet in area pertaining to sale or rental of property on which located.

B. "R2" District - Two Family Residence.

- (1) All uses permitted in the "R1" District, Plus:
- (2) Two Family Dwelling.
- (3) Day Nursery
- (4) Limited Group Home.
- (5) Extended Group Home, if its location is first approved by the Board following a public hearing.
- (6) Half-Way House, if its location is first approved by the Board following a public hearing.
- (7) Accessory Building and Use.

C. "R3" District - Multiple Family Residence.

- (1) All Uses Permitted in the "R2" District, Plus:
- (2) Multiple Family Dwelling
- (3) Apartment Hotel
- (4) Day Nursery, Tourist Home, Lodging Home.
- (5) Nursing Home or Rest Home.
- (6) Non-Profit Private Club.
- (7) Mortuary.
- (8) Extended Group Homes.
- (9) Half-Way House.
- (10) Office or Studio, if its location is first approved by the Board following a public hearing.
- (11) Accessory Building and Use.

SECTION 3. If any parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause, provision, or portion of this Ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Moses, Nuckols, ~~V. Schmidt~~, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-35

SPECIAL ORDINANCE NO. S-110-73

AN ORDINANCE approving a certain City Utilities Purchase Order for the purchase of labor, material and equipment for repair of water main break from JOHN DEHNER, INC.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain City Utilities Purchase Order No. 1960 dated September 26, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC., for:

Furnishing Labor, material and equipment for the emergency street replacement for water main break at Monroe and Wayne Streets	\$6,901.30
---	------------

as more specifically set forth in said City Utilities Purchase Order No. 1960 which is on file in the office of the office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-110-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.S., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-36

SPECIAL ORDINANCE NO. S-111-73

AN ORDINANCE approving an agreement with
MAUMEE CONSTRUCTION CORPORATION for the
improvement of Elmer Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved OCTOBER 2, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and MAUMEE CONSTRUCTION CORPORATION, for improvement to Elmer Avenue as follows:

Elmer Avenue from the east property line
of Sherman Boulevard to existing pavement
west of Sherman Boulevard, a distance of
approximately 450 lineal feet

for a total cost of \$18,363.00, of which the City will pay approximately \$7,558.30, the balance to be paid by property owners under the Barrett Law, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One Kraus

Date: 19-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-111-73 on the 24th day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor Of the City of Fort Wayne, Indiana, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-37

SPECIAL ORDINANCE NO. S-112-73

AN ORDINANCE approving an agreement with
WAYNE ASPHALT & CONSTRUCTION CO. for the
improvement of Fisher Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved October 2, 1973, between the City of Fort Wayne, by and through

its Mayor and the Board of Public Works, and WAYNE ASPHALT & CONSTRUCTION CO., INC., for construction and improvement of Fisher Street as follows:

Fisher Street from the east property
line of Reed Street to the west
property line of Winter Street.

for a total cost of \$11,841.00, of which the City will pay approximately \$5,359.50, the balance paid by property owners under the Barrett Law, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-112-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-38

SPECIAL ORDINANCE NO. S-113-73

AN ORDINANCE approving a certain bid document with L & A PRODUCTS INC. for the purchase of one Pressure Washer for the Board of Public Works.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 513 dated September 19, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L & A PRODUCTS INC., for:

- 1 Model 7110G - 50 Hot Pressure Washer with parts and accessories \$2,538.09

as more specifically set forth in said bid document ref. no. 513 and Purchase Order No. 3-19163 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage.

PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-113-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-39

SPECIAL ORDINANCE NO. S-114-73

AN ORDINANCE approving certain purchase order with GRIFFIN ELECTRIC for 75,000 feet of Wire.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain City Utilities Purchase Order No. 1908 dated September 21, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and GRIFFIN ELECTRIC for:

75,000 ft. Triplex Service Wire \$7,725.00

as more specifically set forth insaid City Utilities Purchase Order No. 1908 which is on file in the office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-114-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-40

SPECIAL ORDINANCE NO. S-115-73

AN ORDINANCE approving a certain City Utilities Purchase Order with T & R ELECTRIC SUPPLY COMPANY, INC. for 50 transformers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain City Utilities Purchase Order No. 1961, dated September 26, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T & R ELECTRIC SUPPLY CO., INC. for:

(50) 25KVA Transformers \$6,000.00

as more specifically set forth in said City Utilities Purchase Order No. 1961 which is on file in the office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Ncukols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 10-23-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-115-73 on the 23rd day of October, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-12

RESOLUTION NO. R-101-73

A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-243 Photography in the 1973 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 73-243 Photography, to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 73-111 Salaries to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account in the 1973 Budget of the Fire Department:

Account No. 73-111 Salaries \$200.00
to
Account No. 73-243 Photography.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Buens, Hinga, Kraus Nuckols, V. Schmidt, Stier, Talarico
NAYS: None
ABSTAINED: One
D. Schmidt
ABSENT: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-101-73 on the 13th day of November, 1973.

Attest; (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-13

RESOLUTION NO. R-102-73

A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-41 Building Maintenance in the 1973 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 73-41 Building Maintenance for the improvement of the heating systems; and

WHEREAS, there are sufficient funds in Account No. 73-111 Salaries,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 73-111 Salaries \$5,000.00

To:

Account No. 73-41 Building Maintenance.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted placed on its passage. Passed by the following vote:

Ayes; Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-102-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:-0 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-14

RESOLUTION NO. R-103-73

A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account No. 79-213 Communications and Transportation in the 1973 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 79-213 Communications and Transportation, to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 79-111 Salaries to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 79-111 Salaries \$1,000

to

Account No. 79-213 Communications
and transportation.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico

Nays: None

Abstained: One
D. Schmidt

Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-103-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M.,E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-15

RESOLUTION NO. R-104-73

A RESOLUTION transferring certain funds from Account No. 85-7-722 Motor Equipment to Account No. 85-2-260 Miscellaneous Contractual Services, in the 1973 Budget of the Park Department

WHEREAS, there are insufficient funds in Account No. 85-2-260 Miscellaneous Contractual Services to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-7-722 Motor Equipment to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WYANE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-7-722 Motor Equipment \$2,000

to

Account No. 85-2-260 Miscellaneous
Contractual Services.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-104-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-16

RESOLUTION NO. R-105-73

A RESOLUTION authorizing payment for
repairs to Police Vehicle #64 which was
damaged in an accident.

WHEREAS, Police Vehicle #64 was damaged in an accident on July 15, 1973; and

WHEREAS, settlement in the amount of \$139.21 was made by State Automobile Insurance Association, which money was receipted into the general fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$139.21, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$139.21 to Jim Kelley Buick for repairs to said Police Vehicle #64.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, Vivian Schmidt, Stier, Talarico
Nays: None

Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-105-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-17

RESOLUTION NO. R-106-73

A RESOLUTION transferring certain funds from Account No. 79-37 Other Supplies to Account No. 79-363 Other Office Supplies in the 1973 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 79-363 Other Office Supplies to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 79-37 Other Supplies to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 79-37 Other Supplies \$200.00

to

Account No. 79-363 Other Office
Supplies

William T. Hinga
Councilman

^{TIME}
Read the third, in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-106-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-18

RESOLUTION NO. R-107-73

A RESOLUTION transferring certain funds from Account No. 79-111 Salaries to Account No. 79-53 Refunds, Awards & Indemnities and Special Expenses in the 1973 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 79-53 Refunds, Awards & Indemnities and Special Expenses to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 79-111 Salaries to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 79-111 Salaries \$3,000

to

Account No. 79-53 Refunds,
Awards & Indemnities and Special
Expenses.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-107-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-19

RESOLUTION NO. R-108-73

A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-221 Electric Current in the 1973 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 73-221 Current, to meet actual expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 73-111, Salaries:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account no. 73-111 Salaries \$1,000.00

To:

Account No. 73-221 Electric current.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution NO. R-108-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-20

RESOLUTION NO. R-109-73

A RESOLUTION transferring certain funds from Account No. 73-111 Salaries to Account No. 73-332 Medical, Surgical and Dental in the 1973 Budget of the Fire Department.

WHEREAS, there are insufficient funds in Account No. 73-332 Medical, Surgical and Dental to meet anticipated expenditures for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 73-111 Salaries,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 73-111 Salaries \$3000.00

To:

Account No. 73-332 Medical, Surgical and Dental.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-109-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-21

RESOLUTION NO. R-110-73

A RESOLUTION transferring certain funds from Account No. 78-2-215 Mileage, to Account No. 78-3-362 Stationery & Printing, in the 1973 Budget of the Board of Health.

WHEREAS, there are insufficient funds in Account No. 78-3-362 Stationery & Printing, to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 78-2-215 Mileage to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum i s hereby transferred from the following account in the 1973 Budget of the Board of Health:

Account No. 78-2-215 Mileage \$1,500.00

to:

Account No. 78-3-362 Stationery & Printing

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-110-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the city of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-22

RESOLUTION NO. R-111-73

A RESOLUTION transferring certain funds
from Account No. 79-111 Salaries to
Account No. 79-55 Subscriptions and Dues
in the 1973 Budget of the Law Department

WHEREAS, there are insufficient funds in Account No. 79-55 Subscriptions & Dues to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 79-111 Salaries to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 79-111 Salaries \$300.00

to

Account No. 79-55 Subscriptions
& Dues.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-111-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-23

RESOLUTION NO. R-112-73

A RESOLUTION transferring certain funds
from Account No. 73-111 Salaries to
Account No. 73-331 Household, Laundry &
Cleaning in the 1973 Budget of the Fire
Department.

WHEREAS, there are insufficient funds in Account No. 73-331 Household, Laundry & Cleaning to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 73-111 Salaries to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account in the 1973 Budget of the Fire Department.

Account No. 73-111 Salaries \$1,000

to

to

Account No. 73-331 Household, Laundry &
Cleaning.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-112-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-24

RESOLUTION NO. R-113-73

A RESOLUTION transferring certain funds from Account No. 85-7-722 Motor Equipment to Account No. 85-3-370 Other Supplies in the 1973 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account No. 85-3-370 Other Supplies to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-7-722 Motor Equipment to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-7-722 Motor Equipment \$2,000

to

Account No. 85-3-70 Other Supplies.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-113-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-25

RESOLUTION NO. R-114-73

A RESOLUTION authorizing payment for repairs to Vehicle #16 MO11116 which was damaged in an accident.

WHEREAS, Vehicle #16 MO11116 was damaged in an accident on July 16, 1973 at Main and Center Streets by Daniel L. Gibson; and

WHEREAS, settlement in the amount of \$647.30 was made by Prairie State Farmers Insurance Association, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$647.30, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$647.30 to Jim Kelley Buick for repairs to said vehicle #16 MO11116.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico

Nays: None
Abstained: one
D. Schmidt

Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-114-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-26

RESOLUTION NO. R-115-73

A RESOLUTION transferring certain funds from Account No. 85-77-722 Motor Equipment to Account No. 85-4-410 Building Materials in the 1973 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account No. 85-4-410 Building Materials to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-77-722 Motor Equipment to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-7-722 Motor Equipment	\$3,000
to	
Account No. 85-4-410 Building Materials	

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution NO. R-115-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-27

RESOLUTION NO. R-116-73

A RESOLUTION transferring certain funds from Account No. 69-362 Stationery & Printing to Account No. 79-363 Other Office Supplies in the 1973 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account NO. 79-363 Other Office Supplies, to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 69-362 Stationery and Printing to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 69-362 Stationery & Printing	\$200.00
to	

Account No. 79-363 Other Office Supplies.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-116-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-28

RESOLUTION NO. R-117-73

A RESOLUTION transferring certain funds from Account No. 85-6-620 Retirement and Social Security to Account No. 85-2-260 Miscellaneous Contractual Services in the 1973 Budget of the Park Department.

WHEREAS, there are insufficient funds in Account NO. 85-2-260 Miscellaneous Contractual Services to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 85-6-620 Retirement and Social Security to offer said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 85-6-620 Retirement and Social Security	\$2,200
to	
Account No. 85-2-260 Miscellaneous Contractual Services.	

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-117-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-20

RESOLUTION NO. R-118-73

A RESOLUTION transferring certain funds
from Account No. 79-111 Salaries to
Account No. 79-363 Other Supplies (Office)
in the 1973 Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 79-363 Other Office Supplies to cover expenses for the year 1973; and

WHEREAS, there are sufficient funds in Account No. 79-111 Salaries to cover said expenses.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 79-111 Salaries \$300.00

to

Account No. 79-363 Other Office
Supplies.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico

Nays: None

Abstained: one
D. Schmidt

Absent: One
Moses.

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-118-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-30

RESOLUTION NO. R-119-73

A RESOLUTION transferring certain funds
from Account No. 79-111 Salaries To
Account No. 79-212 Postage in the 1973
Budget of the Law Department.

WHEREAS, there are insufficient funds in Account No. 79-212 Postage, to cover expenses for the year 1973 in the Budget of the Law Department; and

WHEREAS, there are sufficient funds in Account No. 79-111 Salaries, to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 79-111 Salaries	\$200.00
to	
Account No. 79-212 Postage	

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hings, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
D. Schmidt
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-119-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-09-13

GENERAL ORDINANCE NO. G-27-73

An Ordinance amending Sections 3, 9, 14, 16, 20
21, 23, 24, 25, 29 and 35 of the Zoning
Ordinance to the City of Fort Wayne, Indiana,
to transfer enforcement of the Zoning Ordinance
from the Building Commissioner to the Zoning
Enforcement Officer to be designated by
the Plan Commission.

WHEREAS, on January 1, 1974, the City-County Building and Minimum Housing Department of Allen County will go into operation and the office of Building Commissioner of the City of Fort Wayne will be eliminated, and,

WHEREAS, the enforcement of the Fort Wayne Zoning Ordinance and the issuance of permits authorized by said Ordinance will not be a function of the joint City-County Building and Minimum Housing Department of Allen County, and,

WHEREAS, the enforcement of said Ordinance and the issuance of permits pursuant thereto is now most desirably a function of the Plan Commission of the City of Fort Wayne, and this function should, therefore, be transferred from the Building Commissioner to a Zoning Enforcement Officer to be designated by the Plan Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 3, subsection (29) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

Section 3. Definitions.

- (29) Improvement Location Permit - A permit issued by the Zoning Enforcement Officer stating that the proposed erection, construction, enlargement or moving of the building or structure referred to therein complies with the provisions of this chapter.

SECTION 2. Section 3 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following subsection:

Section 3. Definitions.

- (61) Zoning Enforcement Officer - An official of the Plan Commission Staff of the City of Fort Wayne, Indiana, who issues any and all required permits and enforces the provisions of this chapter and the planning and zoning laws of the State of Indiana within the planning jurisdiction of the Fort Wayne Plan Commission.

SECTION 3. The second paragraph of Section 9 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

The above districts and their respective boundaries are hereby established as shown by the symbols on the map entitled "City of Fort Wayne Zoning Map" dated September 16, 1969, which is on file in the office of the Plan Commission, which map and all explanatory matter thereon by reference is incorporated herein and made a part hereof.

SECTION 4. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance no. 2836 and subsequent amendments, is hereby amended to read in part as follows:

Section 14. Permitted Uses - Specified Districts.

F. "B2" - "B2A", Regional and neighborhood shopping centers.

(4) Issuance of Permit.

The Zoning Enforcement Officer shall issue an improvement location permit for a shopping center as herein defined only following receipt of notice from the Plan Commission that the final development plan has been approved by the Plan Commission.

F. (6) (b) (iv).

In the event the Commission shall approve and order such development plan changed, altered, amended or extended, it shall so notify the Zoning Enforcement Officer, and he shall issue an amended improvement location permit accordingly.

L. "IA" District - Interchange Access District.

(3) Plan Commission Procedure:

(A) An applicant for an interchange access district permit shall apply therefor to the Commission upon forms to be prescribed by the Commission. Such application shall be filed with the Plan Commission. Such application shall be accompanied by a preliminary development plan for the entire tract, described in said petition, together with supporting data therefor.

(C) 2. If it finds that upon said plan being amended, altered or changed as specified by the Commission, it will meet the requirements of this chapter, it shall so notify the applicant and thereupon the applicant shall prepare and file with the Commission another preliminary plan and its supporting data incorporating such specified changes. Upon filing of the amended development plan complying with the required amendments of the Commission, the Commission shall approve the same and so notify the Zoning Enforcement Officer.

(5) Issuance of Permits:

The Zoning Enforcement Officer shall issue an improvement location permit for a use contained within an interchange district as herein defined only following receipt of notice from the Plan Commission that the final development plan has been approved by the Commission. No certificate of occupancy permit shall be issued by the Zoning Enforcement Officer until all buildings, landscaping, parking lots, driveways, sidewalks, etc., are installed in accordance with the approved plan.

(6) (C) The Zoning Enforcement Officer may, after investigation, seek to enjoin the operation of said interchange access district if a substantial compliance of said plan has not been achieved in the time limit as herein set forth.

(7) Permits:

(B) Amendments to Development Plan:

4. In the event the Commission shall approve and order such development plan changed, altered, or amended or extended, it shall so notify the Zoning Enforcement Officer and he shall issue an amended improvement location permit accordingly.

N. Planned Unit Development.

22. Phasing. The establishment of common open spaces and construction of public or common recreational facilities shown on the recorded planned unit development plan together with the construction of other non-residential structures shall proceed substantially in accordance with the phasing program referred to in Section 15:6.

After general construction commences, the Director of Planning shall review, at least once every six (6) months, all building permits issued and compare them to the over-all development phasing program. If he determines that the rate of construction of residential units or non-residential structures substantially differs from the phasing program, he shall so notify the developer and the Zoning Enforcement Officer, in writing; thereafter the Zoning Enforcement Officer may issue such orders to the developer as he sees fit, and upon continued violation of this subsection may suspend the developer from further construction of dwelling units or non-residential structure until compliance is achieved.

SECTION 5. Section 16 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments is hereby amended to read in part as follows:

Section 16. Residential Lot Area Requirements.

(B) Exceptions to area and width requirements:

(5) "R3" District - in an "R3" District the Zoning Enforcement Officer may issue an improvement and location permit and a certificate of occupancy for a multi-family dwelling having minimum lot areas of one thousand (1,000) square feet per dwelling unit providing the following conditions are satisfied.

D1. The Zoning Enforcement Officer shall issue an improvement location permit when the developer has satisfactorily proven to the Zoning Enforcement Officer that the following conditions exist:

D11. If the Zoning Enforcement Officer does not issue an improvement location permit within fifteen (15) days after written demand to do so by a developer or applicant, an appeal will lie to the Board of Zoning Appeals.

J. In no event shall the Zoning Enforcement Officer issue an improvement location permit or a certificate of occupancy for a use where the density exceeds one thousand (1,000) square feet per living unit for structures of three (3) to five (5) stories and one thousand two hundred and fifty (1,250) square feet for structures two (2) stories or less except by action of the Board of

Zoning Appeals.

SECTION 6. Section 20 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments is hereby amended by adding thereto the following:

Section 20. Improvement location permit.

A. No building or structure, except buildings incidental to non-residential agricultural uses shall be erected, reconstructed, enlarged or moved until an improvement location permit shall have been applied for in writing and issued by the Zoning Enforcement Officer.

B. No improvement location permit shall be issued by the Zoning Enforcement Officer for the proposed erection, reconstruction, enlargement or moving of a building or structure unless the proposed erection, reconstruction, enlargement or moving of a building or structure conforms with the provisions of this chapter.

C. Applications for improvement location permits shall be made upon form prescribed by the Zoning Enforcement Officer and shall be accompanied by plans and specifications of sufficient detail to enable the Zoning Enforcement Officer to determine whether the proposed improvement will comply with the provisions of this chapter.

D. Every permit may be ~~revoked~~ if active work is not commenced within sixty (60) days after the date of its issue, and continued with due diligence to completion; and the Zoning Enforcement Officer shall judge if due diligence is being shown and shall notify the owner or agent incase due diligence is not being shown.

E. If the Zoning Enforcement Officer determines that the work under any permit is not being continued with due diligence to completion or is not proceeding according to the detailed statement, plans and specifications, upon which such permit was issued, or is proceeding in violation of law, it shall be his duty to give written notice thereof to the owner or his agent, requiring that the same must be immediately rectified.

F. If the owner or his agent neglects to comply with the provision of such notice within such time as may be specified by the Zoning Enforcement Officer, or fails to commence active work within sixty (60) days after the date of issue, it shall be the further duty of the Zoning Enforcement Officer to revoke said permit and written notice thereof shall be immediately served upon the owner, agent, superintendent or contractor in charge of the work, or posted on the property.

SECTION 7. Section 21 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read in part as follows:

Section 21. Certificate of Occupancy.

A. No occupancy, use or change of use, except buildings incidental to non-residential agricultural uses shall take place until a certificate of occupancy shall have been applied for in writing and issued by the Zoning Enforcement Officer, in the following cases:

SECTION 8. Section 23 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read in part as follows:

Section 23. Enforcement.

A. It shall be the duty of the Zoning Enforcement Officer to enforce the provisions of this chapter in the manner and form and with the powers provided by this chapter and any and all other provisions of this Code, and as provided in the laws of the State of Indiana.

SECTION 9. Section 24 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836, and subsequent amendments, is hereby amended to read

in part as follows:

Section 24. Filing Fees.

A. For each application for an improvement location permit, the sum of Three Dollars (\$3.00) to be paid to and collected by the Zoning Enforcement Officer.

B. For each application for a certificate of occupancy the sum of Three Dollars (\$3.00) to be paid to and collected by the Zoning Enforcement Officer.

C. For each petition for an appeal from the decision of the Zoning Enforcement Officer to the Board of Zoning Appeals, a fee of Fifty Dollars (\$50.00) to be paid to and collected by the Zoning Enforcement Officer, the receipt for which shall accompany the petition.

D. For each application for the approval by the Commission of a "B2" Regional Shopping Center Development Plan or a "B2A" Neighborhood Shopping Center Development Plan, or an "1A" Interchange Access Center Development Plan, a fee of Fifty Dollars (\$50.00) to be paid to and collected by the Zoning Enforcement Officer, the receipt for which shall accompany the application.

SECTION 10. Section 25 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read in part as follows:

Section 25. Penalties.

B. The erection, construction, enlargement, conversion, moving or maintenance of any building or structure and the use of any land or building which is continued, operated or maintained contrary to any provisions of this chapter is hereby declared to be a nuisance and in violation of this chapter and unlawful. The Plan Commission by its Zoning Enforcement Officer may institute a suit for injunction in the Circuit Court or any Superior Court of the County to restrain any person or governmental unit from violating any provision of this chapter and to cause such violation to be prevented, abated or removed. Such action may also be instituted by any property owner who may be especially damaged by the violation of any provision of this chapter.

SECTION 11. Section 29 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read in part as follows:

Section 29. Powers of the Board of Zoning Appeals.

A. The Board of Zoning Appeals shall;

(1) Hear and determine appeals from the review any order, requirement, decision or determination made by the Zoning Enforcement Officer and any other administrative official or board charged with the enforcement of this chapter or any regulation adopted pursuant hereto;

SECTION 12. Section 35 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read in part as follows:

Section 35. Permit for Alteration or Destruction of Structures - Application.

No application for any special permit is required under this article. If an application is made under other provisions of the law for demolition or substantial alteration of any structure in an historical district established under Section 34, or for the erection of any new structure in an historical district so established, the Zoning Enforcement Officer shall forthwith refer the application to the Board of Zoning Appeals. No such referral is required if the application is for an alteration which is not substantial.

SECTION 13. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause,

provision, or portion of this Ordinance.

SECTION 14. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-27-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-09-15

GENERAL ORDINANCE NO. G-28-73

AN ORDINANCE amending Sections 4, 6, and 10 of the Subdivision Control Ordinance of the City of Fort Wayne, Indiana, to transfer enforcement of the Subdivision Control Ordinance from the Building Commissioner to a Zoning Enforcement Officer to be designated by the Plan Commission.

WHEREAS, on January 1, 1974, the City-County Building and Minimum Housing Department of Allen County will go into operation and the office of Building Commissioner of the City of Fort Wayne will be eliminated, and,

WHEREAS, the enforcement of the Fort Wayne Subdivision Control Ordinance will not be a function of the joint City-County Building and Minimum Housing Department of Allen County, and,

WHEREAS, enforcement of said Ordinance is now most desirably a function of the Plan Commission of the City of Fort Wayne, and this function should, therefore, be transferred to a Zoning Enforcement Officer to be designated by the Plan Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 4 of Chapter 28A of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read as follows:

Section 4. Enforcement of Chapter Generally.

It shall be the duty of the Zoning Enforcement Officer to enforce the provisions of this chapter in the manner and form and with the powers provided by this chapter and any and all other provisions of this Code and as provided in the laws of the State of Indiana.

SECTION 2. Section 6 of Chapter 28A of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read in part as follows:

Section 6. Violation Declared to be a Nuisance;
Enforcement by injunctive Procedure.

The erection, construction, enlargement, conversion, moving or maintenance of any structure, and the use of any land or structure which is continued, operated, or maintained contrary to any provision of this chapter, is hereby declared to be a nuisance and violation of this chapter and unlawful. The Plan Commission by its Zoning Enforcement Officer may institute a suit for injunction in the Circuit Court or any Superior Court of the County to restrain any person or governmental unit from violating any provision of this chapter and to cause such violation to be prevented, abated, or removed. Such action may also be instituted by any property owner who may be especially damaged by the violation of any provision of this chapter. The remedies provided for by this section and any other provision of this Code shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

SECTION 3. Section 10 of Chapter 28A of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read in part as follows:

Section 10. Same- Prerequisites to Approval Generally.

(2) (B)

(5) A protective covenant running with the land and enforceable by the City or by any aggrieved lot owner in the subdivision which shall provide that for any lot or tract located within the subdivision may be used and occupied, such user or occupier shall first obtain from the Zoning Enforcement Officer of the City the improvement location permit required by Chapter 36, the issuance of which shall be subject to as an additional condition precedent thereof, either

SECTION 4. If any part, parts, section, sections, provision, clause or portion of this Ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Ordinance as a whole or of any other part, section, clause, provision, or portion of this Ordinance.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
 Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None
 Absent: One
 Moses

Date: 11-13-73

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-28-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. Z-73-09-20

ZONING ORDINANCE NO. Z-WITHDRAWN

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: That the area described as follows is hereby designated a M1 district under the terms of Chapter 36, Municipal Codes of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. B14 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot 45 Home Garden Addition,
Lot 46 Home Garden Addition,
Lot 47 Home Garden Addition

SECTION 2: This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

BILL NO. R-73-11-38

RESOLUTION NO. R-121-73

A RESOLUTION ratifying and approving the actions of certain County and City officials in organizing and carrying on the activities of the Indiana Area III MAPC and encouraging said officials to continue to further the purposes of said Indiana Area III MAPC.

WHEREAS, it is to the mutual benefit of the communities of Northeastern Indiana and their residents that such communities work together to combat the evils of unemployment, to facilitate the exchange of information concerning job openings; to develop means of training individuals to perform in jobs best suited to their individual qualifications; and otherwise to provide a climate of employment opportunities which will permit the utilization of maximum individual potential while furthering the welfare of the communities involved; and

WHEREAS, there is in existence an organization known as the Indiana Area III Manpower Area Planning Council (MAPC) which exercises jurisdiction within the Counties of Allen, Dekalb, LaGrange, Noble, Steuben and Whitley; and

WHEREAS, said Indiana Area III MAPC is peculiarly well suited to further the purposes set out hereinabove; and

WHEREAS, the structure of said Indiana Area III MAPC is such as to render the organization peculiarly responsive to the needs of its constituent communities,

NOW THEREFORE, be it resolved by the undersigned Board of County Commissioners and Common Councils;

1) that county commissioners of each respective county ratifies and approves the affiliations of said county in connection with the carrying on of the activities of said Indiana Area III MAPC;

2) that the city council of each respective city in said counties hereby ratifies and approves the actions of the Mayor of said city in connection with the organization of the Indiana Area III MAPC and in connection with the carrying on of the activities of said Indiana Area III MAPC:

3) that each board of county commissioners authorizes and directs the executive officers of its community to continue to further the purposes of said Indiana Area III MAPC as expressed in its charter.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-121-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-37

RESOLUTION NO. R-120-73

A RESOLUTION of the Council of the City of Fort Wayne, Indiana, extending an invitation to the City of Plovdiv, Bulgaria, to become a sister-city and inviting the people of Plovdiv, Bulgaria to participate in said program.

WHEREAS, the "People-to-People" Program was inaugurated by the President of the United States in 1956 to establish greater friendship and understanding between the peoples of the United States and other nations through the medium of direct personal contact; and

WHEREAS, all succeeding United States Presidents have endorsed said program, to be conducted for the broad purposes of the exchange of ideas and people between the citizens of the United States of America and the peoples of other nations; and

WHEREAS, the City of Fort Wayne, Indiana, and other communities in the United States have been requested by the Town Affiliation Association of the United States, Inc., to implement this program by affiliating with cities in other nations; and

WHEREAS, the City of Fort Wayne has established a communication with Plovdiv, Bulgaria, and through the Council of Fort Wayne, does recognize and endorse this program with the hope that it will lead to a lasting friendship between the people of Fort Wayne and Plovdiv as well as the opportunity to exchange ideas, cultural interests, and personal contacts.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. This Council on behalf of the people of Fort Wayne does hereby extend an invitation to the government and the people of the City of Plovdiv, Bulgaria, to participate with Fort Wayne, Indiana, United States of America, as its sister-city for the purpose of creating greater mutual understanding between the peoples of our two great cities and nations.

SECTION 2. The Mayor is hereby authorized to act as official representative of Fort Wayne to carry out this program.

SECTION 3. Copies of this Resolution are to be sent to the Chairman, Executive Committee and Municipal Council of Plovdiv, Bulgaria, the Town Affiliation Association of the United States, Inc., and the Embassy of Bulgaria.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Kraus
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~Special~~ Resolution No. R-120-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-55

SPECIAL ORDINANCE NO. S-116-73

AN ORDINANCE approving Change Order No. 1 with SCHEELE CONSTRUCTION COMPANY, INC. in connection with Storm Water Overflow Project Resolution NO. 260-1971.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1, with SCHEELE CONSTRUCTION COMPANY, INC., in connection with Storm Water Overflow Project Resolution No. 260-1971, for the use of a concrete cap which was installed to insure against conduit floatation at an additional cost of \$38,940.00, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, and seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-116-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-56

SPECIAL ORDINANCE NO. S-117-73

AN ORDINANCE approving storm and sanitary agreements with JUSTUS CONTRACTING COMPANY, INC. for construction of sewers to serve South Towne Square, Phase I.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The sewer agreement dated October 16, 1973 between JUSTUS CONTRACTING CO., INC., as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer in South Towne Square, Phase I, as follows:

Part of the Northwest fractional quarter, Section 31
Township 30 North, Range 13 East, Allen County, Indiana
more particularly described as follows:

Commencing at the center of Section 31, Township
30 North, Range 13 East, marked by a 48-inch dia-
meter dead, burned-out tree; thence North on the

North and South center line of said Section 31,
Township 30 North, Range 13 East 443 feet for a
POINT OF BEGINNING, marked by an iron pin; thence
North 87 degrees 16 minutes West a distance of
561.7 feet to a nail located on the center line
of Old Decatur Road; thence North 27 degrees, 29
minutes West a distance of 806.4 feet along the
centerline of said Old Decatur Road to a nail;
thence North 61 degrees, 36 minutes East along
the Southeasterly line of the parcel of land owned
by Trinity Evangelical Lutheran Church, as recorded
in Deed Record "I" Page 107, a distance of 294.5
feet to an iron pipe; thence North 28 degrees, 24
minutes West along the Northeasterly line of said
Trinity Evangelical Lutheran Church as recorded in
Deed Record "I" Page 107, and Deed Record "T", page
550, a distance of 351.6 feet to an iron pipe; thence
South 87 degrees, 09 minutes East a distance of
843.5 feet to a stone and post located on the North
and South centerline of said Section 31; thence South
on the North and South centerline of said Section 31 a
distance of 1,150 feet to the point of beginning.

the entire cost and expenses of construction of said sewer to be borne by Developer, including City engineering fees, and to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-117-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.
Ivan A. Lebamoff
Mayor

SPECIAL ORDINANCE NO. S-118-73

AN ORDINANCE approving certain purchase orders with CENTRAL SUPPLY COMPANY and UNIVERSAL ELECTRIC CO. for 101,000 feet of wire and 150 heavy duty fuse cutouts, respectively.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain City Utilities Purchase Orders Numbered 2065, 2067 and 2076, dated October 4, 1973 and October 5, 1973, respectively, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CENTRAL SUPPLY COMPANY and UNIVERSAL ELECTRIC CO. for:

Central Supply Company:

(P.O. 2065 and 2067)
50,000 feet Triplex service wire \$9,585.00
51,000 feet Duplex service wire 2,473.50

Universal Electric Co., Inc:

(P.O. 2076)
150 50 AMP, 5000 volt, porcelain
housed, heavy duty, high in-
terrupting capacity, indicating
fuse cutouts 2,310.00

TOTAL \$14,368.50

as more specifically set forth in said City Utilities Purchase Order No. 2065, 2067 and 2076 which are on file in the office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-11-8-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SPECIAL ORDINANCE NO. S-119-73

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for construction of a water line on Lake Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved October 11, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC. for the construction of a water line as follows;

On Lake Ave. from the existing water main
213+ feet east of Lakhurst Dr., eastward
602+ feet.

for a total cost of \$11,592.09, of which \$6,206.04 is to be paid by contributors and the balance by Utility, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-119-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-10-59

SPECIAL ORDINANCE NO. S-120-73

AN ORDINANCE approving a contract with
NOBIS-WESTROP CONSTRUCTION CO., INC. for
construction of a water line on Cook
Road.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved October 11, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and NOBIS-WESTROP CONSTRUCTION CO., INC. for the construction of a watermain as follows:

That the Utility and the Contributor shall proceed dependent upon procurement of materials and labor and with reference to other similar work of said parties to construct 2002+ feet of sixteen (16") inch water main, including all necessary fittings as follows:

On the Cook Road, from the existing main at Cranberry Lane eastward a distance of 2002+ feet.

for a total cost of \$29,738.50, of which \$18,772.82 is to be paid by Contributor and the balance paid by Utility, all as more particularly set forth in said contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, scconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 11-13-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-120-73 on the 13th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of November, 1973, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-05

SPECIAL ORDINANCE NO. S-122-73

AN ORDINANCE approving a certain bid document with MOBILE AERIAL TOWER for the purchase of one Brush Cipper for the Park Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 525 dated May 9, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and MOBILE AERIAL TOWERS, for:

(1) Brush Chipper with trade-in, 1973 Mitts & Merrill Model M-13 - with Ford 330 V-8 engine	\$5192.00
Less: Trade In	<u>710.00</u>
TOTAL PRICE	\$4482.00

as more specifically set forth in said bid document ref. no. 525 and Purchase Order No. 3-16378 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-122-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Prsiding Officer

Presented by me to the Mayor of the City of fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-06

SPECIAL ORDINANCE NO. S-123-73

AN ORDINANCE approving a certain bid document with AUDIO-VISUAL, INC. for the purchase of television recording and playback equipment for the Office of Emergency Services.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 547 dated October, 1973, between the City of Fort Wayne, by and through its Mayor and the Office of Emergency Services and AUDIO-VISUAL, INC., for:

Television Equipment consisting of
Battery operated camera and recorder
Tape editor
Studio Quality recorder and playback unit
12" monitor for viewing and off the air recording
accessories for all of the above

resulting in a total of \$4,865.00, as more specifically set forth in said bid document ref. no. 547 and Purchase Order No. which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance S-123-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-07

SPECIAL ORDINANCE NO. S-124-73

AN ORDINANCE approving Board of Public Works proposition to purchase real estate from Walter Imler and Irene Imler.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That on November 1, 1973 the Board of Public Works adopted a proposition to purchase certain real estate from Walter Imler and Irene Imler, to be used to expand Fire Station No II at 401 East Rudisill Boulevard, said property being commonly known as 415 East Rudisill Boulevard, and

legally described as follows, to-wit:

The East 30 feet of North 7.83 feet of Lot number 34, and East 30 feet of South 7 feet of Lot 37, and the East 30 feet of Lots 35 and 36, in the City of Fort Wayne, being known as 415 East Rudisill Boulevard.

for the price of \$12,500.00, all as more particularly set forth in the proposition to sell which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-124-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-08

SPECIAL ORDINANCE NO. S-125-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for the purchase of a $\frac{1}{2}$ ton pick-up truck less trade-in for the Fort Wayne Fire Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 543 dated September 24, 1973, between the City of Fort Wayne, by and through its Mayor and the Fort Wayne Fire Department and ALLEN COUNTY MOTORS, INC., for:

One (1) $\frac{1}{2}$ Ton Pick-up Truck	
less trade-in	\$2,859.00

as more specifically set forth in said bid document ref. no. 543 and Purchase Order No. 3-19230H which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-125-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-09

SPECIAL ORDINANCE NO. S-126-73

AN ORDINANCE authorizing the execution of a deed to Bernard and Isabell Romy for certain real estate owned by the City of Fort Wayne, Indiana.

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

Beginning at the southwest corner of DeRomes Reserve in the southeast one quarter of Section 18, Township 31 North, Range 13 East, Allen County, Indiana; thence east along the south line of DeRomes Reserve to a point where the public road now known as Upper St. Joe Center Road intersects the section line; thence northwesterly along the center line of said road 1013.0 feet for the point of beginning, said point also being the northwest corner of the Bernard and Isabell I. Romy property; thence continue northwesterly along the centerline of said road 155.5 feet to the east abutment of the former Paper Mill Bridge which is also the east water line of the St. Joseph River, thence southerly along the east water line of said river to a point on the west line of the aforesaid Romy property; thence northerly along the west property line to the point of beginning. Containing 0.69 acres, more or less.

WHEREAS, this Council has determined that it will be in the best interest of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and in behalf of the City of Fort Wayne, to execute a deed to Bernard and Isabell I. Romy, for the parcel of real estate herein described, such deed to be in the form of a Quit-Claim Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance is passed upon the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all the members of the Common Council present and there are present and voting at least two-thirds of all the members elect of said Common Council.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-126-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-10

SPECIAL ORDINANCE NO. S-127-73

AN ORDINANCE approving a certain bid document with INTERNATIONAL CRYSTAL MFG. CO., INC. and with GENERAL ELECTRIC COMPANY for the purchase of parts and labor to install two additional frequencies in approximately sixty (60) mobile radios now in use in the Police Department, for the Department of Public Safety.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 537 dated August 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and INTERNATIONAL CRYSTAL MFG. CO., INC. and GENERAL ELECTRIC COMPANY, for:

Parts and Labor to add two frequencies and tone squelch to approximately sixty (60) mobile radios	\$21,829.80
---	-------------

of which only \$4,093.09 will be spent from City Communications Department accounts in accordance with ICJPA grant #G-73-C-E07-0215, through which the above parts and labor will be acquired, as more specifically set forth in said bid document ref. no. 537 and Purchase Order Numbers 3-19103G (International Crystal) and 3-19102G (General Electric Company) which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-127-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-11

SPECIAL ORDINANCE NO. S-128-73

AN ORDINANCE approving a certain bid document with GENERAL ELECTRIC CO. for the purchase of certain communications equipment (to be used by the Fort Wayne Police Dept.) for the Department of Public Safety.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 538 dated August 22, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and GENERAL ELECTRIC COMPANY, for:

4	90 Watt, high band, tone squelch, repeater base stations	\$8,432.00
2	Remote receiver voting systems complete	\$8,768.00

resulting in a total of \$17,200 of which only \$3,225 will be spent from City Communications Department accounts in accordance with ICJPA grant #G-73-C-E07-0215, through which the above equipment will be acquired, as more specifically set forth in said bid document ref. no. 538 and Purchase Order No. which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-128-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-45

RESOLUTION NO. R-122-73

A RESOLUTION authorizing payment for repairs to Fire Department Vehicle #C22.

WHEREAS, Fire Department Vehicle #C22 was damaged in accident at 2610 Tyler Street on August 9, 1973 by Richard L. Small; and

WHEREAS, settlement in the amount of \$235.60 was made by American Underwriter's Insurance Company, which money was receipted into the General Fund; and

WHEREAS, Hefner Chevrolet has submitted an estimate in the amount of \$235.60, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$235.60 to Hefner Chevrolet for repairs to said Fire Department Vehicle #C22.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-122-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-11-46

RESOLUTION NO. R-123-73

A RESOLUTION authorizing payment for repairs to Fire Department Vehicle #C24.

WHEREAS, Fire Department Vehicle #C24 was damaged in an accident on September 25, 1973 in South-town Mall by Frieda Dyarman; and

WHEREAS, settlement in the amount of \$170.60 was made by Auto Owners, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$170.60, which is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$170.60 to Jim Kelley Buick for repairs to said Fire Department Vehicle #C24.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution NO. R-123-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-11-36

GENERAL ORDINANCE NO. G-29-73

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
an alley south of Wallace Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public alley by property owners having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 16, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns' Ind. Stat., 1964 Repl., Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The first alley south of Wallace Street from the east
property line of the alley east of Calhoun Street to
the west property line of Clinton Street.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works for the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-29-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-39

SPECIAL ORDINANCE NO. S-129-73

AN ORDINANCE approving a certain bid

document with NATIONAL MILL SUPPLY for
the purchase of nine transformers for
City Utilities.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 314 dated October 29, 1973, between the City of Fort Wayne, by and through its Mayor and City Utilities and NATIONAL MILL SUPPLY, for:

- | | | |
|---|---|------------|
| 6 | 50KVA Transformers for pole mounting, 2400/4160 to 277/480 volts, single phase, 60 cycle with 2-2% taps above and below normal. Oil-filled A2552A25AA | |
| 3 | 25KVA Transformers, same description as above A2552A50AA | \$2,783.00 |

as more specifically set forth in said bid document ref. no. 314 and City Utilities Purchase Order No. 2331 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-129-73, on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-40

SPECIAL ORDINANCE NO. S-130-73

AN ORDINANCE approving an agreement with
T & F CONSTRUCTION CORPORATION for street
lighting.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved September 24, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and T & F CONSTRUCTION CORPORATION of Indiana, for furnishing labor and equipment and performing the work necessary for the installation of street lighting, in the amount of \$198,363.00, all as more particularly set forth in said Contract #101, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-130-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-41

SPECIAL ORDINANCE NO. S-131-73

AN ORDINANCE approving a certain bid document with TRI-STATE PLUMBING for ten (10) fire hydrants for City Utilities.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document ref. no. 375 dated October 26, 1973, between the City of Fort Wayne, by and through its Mayor and City Utilities and TRI-STATE PLUMBING, for:

- 10 Waterous Fire Hydrants, Model WB-67
w/6" M.J. Bell Inlet, w/Rubber Gaskets
Lead Tipped, Open Left O-Ring Packing,
1 1/2" Pentagon Operating Nut, one 4 1/2"
Pumper, two 1/2" Hose Connections,
Nat'l Std Pipe Thread, Ground Flange
for 5 1/2' Trench.

Additional Barrel Length and Traffic
Type

\$2,159.00

as more specifically set forth in said bid document ref. no. 375 and City Utilities Purchase Order No. 2343 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED BY the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-131-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, as Special Ordinance No. S-131-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-42

SPECIAL ORDINANCE NO. S-132-73

AN ORDINANCE approving City Utilities Purchase Order No. 2375 for the purchase of Conventional Distribution Transformers from T & R Electric Supply Company.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. City Utilities Purchase Order No. 2375 dated November 2, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and T & R Electric Supply Company, Inc. for:

25	50 KVA Conventional Distribution Transformers, Single phase, 60 cycle 2400/4160 to 120/240 volts, without voltage taps. All to be Reconditioned, tested, oil-filled and acrylic painted as per the information in the brochure, vol. 1-72.	\$5,750.00
----	--	------------

as more specifically set forth in said City Utilities Purchase Order No. 2375, which is on file in the office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 11-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-132-73 on the 27th day of November, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of November, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of November, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-43

SPECIAL ORDINANCE NO. S-133-73

AN ORDINANCE approving a certain bid document with ALLEN COUNTY TRACTOR SALES for one (1) utility tractor.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 549 dated November 8, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and ALLEN COUNTY TRACTOR SALES, for

1 - New 1974 Model Utility Tractor - \$2,672.00

as more specifically set forth in said bid document Reference No. 549 and Purchase Order No. 3-20633, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-133-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-44

SPECIAL ORDINANCE NO. S-134-73

AN ORDINANCE approving a certain bid document with ROCKWELL PARKING METERS, CHARLES LEE ASSOCIATES for Parking Meters.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 552 dated November 16, 1973, between the City of Fort Wayne, by and through its Mayor and the Parking Administration and ROCKWELL PARKING METERS, CHARLES LEE ASSOCIATES, for:

154 - Rockwell Model "S" Manual Parking Meters \$7,546.00

as more specifically set forth in said bid document Ref. No. 552 and Purchase Order No. 3-20815 which are on file in the office of the department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-134-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-11-48

SPECIAL ORDINANCE NO. S-135-73

AN ORDINANCE approving a contract with
TREATY CO. for tapping valves for Water
Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved November 8, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and TREATY CO., for:

12 ea	6" Tapping Valves, M.J. w/set screw glands & gaskets, open right	\$1661.64
6 ea	8" Tapping valves, M.J. s/set screw glands & gaskets, open right	\$1208.94
	TOTAL	\$2870.58

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 2458, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-135-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-04

RESOLUTION NO. R-124-73

A RESOLUTION authorizing payment for repairs to the roof of Hanger No. 43 by transferring funds from Account No. Unappropriated Unexpended Balance of Aviation Fund to Account No. 84-7-711 Buildings and Fixed Equipment.

WHEREAS, the roof of Hangar No. 43 was damaged by wind; and

WHEREAS, settlement in the amount of \$2,116.25 was made by insurance company check no. 26-028504, which check was received and deposited in the Aviation Fund; and

WHEREAS, said repair work was done by C.L. Schust Company; and

WHEREAS, it is necessary to transfer the amount of \$2,116.25 from the Unappropriated Unexpended Balance of the Aviation Fund to Account No. 84-7-711 Buildings and Fixed Equipment to cover said payment for repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the sum of \$2,116.25 is hereby transferred from the Unappropriated Unexpended Balance of the Aviation Fund to Account No. 84-7-711 Buildings and Fixed Equipment.

2. That the Aviation Department is hereby authorized to pay the sum of \$2,116.25 to C.L. Schust Company for repairs to said roof of Hangar No. 43.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-124-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-07

RESOLUTION NO. R-126-73

A RESOLUTION transferring certain funds from Account No. 90-111 Salaries to Account No. 90-261 Rental in the 1973 Budget of the Permit Department.

WHEREAS, there are insufficient funds in Account No. 90-261 Rental to pay invoices for the balance of 1973; and

WHEREAS, there are sufficient funds in Account No. 90-111 Salaries to pay said invoices.

NOW THEREOFRE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 90-111 Salaries \$800.00
to

Account No. 90-261 Rental

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-126-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-06

RESOLUTION NO. R-125-73

A RESOLUTION transferring certain funds
from Account No. 90-111 Salaries to
Account No. 90-212 Postage in the 1973
Budget of the Permit Department.

WHEREAS, there are insufficient funds in Account No. 90-212 Postage costs for 1973; and

WHEREAS, there are sufficient funds in Account No. 90-111 Salaries to cover said costs

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 90-111 Salaries \$200.00

to

Account No. 90-212 Postage

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-125-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 6:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-10-18 (AS AMENDED 11-25-73)

GENERAL ORDINANCE NO. G-30-73

AN ORDINANCE amending the Building Code of the City of Fort Wayne, Indiana, by adding thereto a new Division _____.

WHEREAS, we live in an age of brotherhood and compassion for all men; and

WHEREAS, there exists in Economic Region III (the Fort Wayne area) 10,996 per 100,000 people who are afflicted with some known disability; and

WHEREAS, there are countless other persons who due to advanced age find certain impediments and hazards in making proper use of said buildings:

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1 . Chapters 37, 38, 39, 40 and 41 as amended and recodified by General Ordinance No. G-66-66 passed by the Common Council on June 14, 1966 and approved by the Mayor on June 15, 1966 and all amendments thereto and supplements thereof is hereby amended by adding thereto the following:

Section 2. The following buildings are included herein:

- (a) All public buildings - city, county, state and federal.
- (b) Cultural centers - theatres, museums, houses of exhibits.
- (c) Entertainment facilities - Movie houses, skating rinks, sports arenas, dance halls, clubhouses, lodges.
- (d) Recreational facilities - auditoriums, zoos, armories, coliseums, convention centers.
- (e) Medical and dental facilities.
- (f) Institutions - schools, nursing homes, church centers.
- (g) Churches and synagogues.
- (h) Banks, insurance companies and utilities.
- (i) Office Buildings.

Section 3. This Ordinance is applicable to:

- 3.1 (a) All new building as defined in Section 2.
- (b) All buildings remodeled after passage of this Ordinance where remodeling constitutes 50% of the total value of the building.
- 3.2 This Ordinance is not applicable to:
 - (a) Buildings that are remodeled which have an historical value.
- 3.3 Features outlined in this Ordinance for incorporation into building designs which are based on, and are consistent with, the American National Standard Institute's specifications for making buildings and facilities accessible to, and usable by, the physically handicapped.

Section 4. The following features will be incorporated in all buildings defined as such under Section 2.

- 4.1 Grading - The grading of ground, even if contrary to existing topography, will be level with, at least one of the primary entrances. Note: In lieu of this, see 4.4 of this Section.
- 4.2 Walks - Walkways will be at least 48 inches wide, uninterrupted by steps or abrupt changes in levels.
- 4.3 Parking Lots - Spaces that are accessible and approximate to the facility should be set aside and identified for individuals with physical disabilities confined to wheelchairs.
 - (a) These spaces should be at least 12 feet wide. These spaces should be located so that individuals on crutches and in wheelchairs are not compelled to pass behind parked cars.

- (b) If curbs exist between parking lot and building entrance, at least one section shall be ramped and identified.

4.4 Ramp -

- (a) A ramp shall be required in lieu of grading described in 4.1 of this Section.
- (b) The ramp shall not have a slope greater than 1 foot rise in 12 feet.
- (c) The ramp shall have a handrail on at least one side that is 32 inches high. The surface is to be non-slip and have a level surface at both top and bottom.

4.5 Entrances - At least one primary entrance shall be usable by individuals in wheelchairs.

4.6 Doors - Doors shall have a clear opening of at least 32 inches when open and be operated with a single effect.

4.7 Stairs - Stairs - Stairs shall have handrails which will be 32 inches high.

4.8 Rest Rooms - An appropriate number of rest rooms within the building shall be accessible to, and usable by, the physically handicapped.

- (a) Rest rooms shall have adequate space to allow wheelchair traffic.
- (b) Rest rooms shall have at least one toilet stall that
- (1) is 3 feet wide;
 - (2) is 4 feet 8 inches deep, at least;
 - (3) has a door or opening 32 inches wide that swings out
 - (4) has handrails on each side - 32 inches high fastened at both ends and center;
 - (5) has a water closet with the seat 20 inches from the floor.
- (c) Rest rooms shall have at least one towel and other dispensing units no higher than 40 inches from floor.

4.9 Water Fountains - An appropriate number of water fountains/coolers shall be accessible to, and usable by, the physically disabled. Such devices shall have up-front spouts and controls, and be hand operated or hand and foot operated. These units must be mounted 30 inches from the floor.

4.10 Public Telephones -

- (a) An appropriate number of public telephones shall be accessible to, and usable by, the physically handicapped. Telephones shall be installed with a dial no higher than 48 inches from the floor.
- (b) At least one telephone shall be equipped so as to provide service to those with hearing disabilities (instructions for use will also be noted next to the phone).

4.11 Elevators - Where elevators are required in a building, at least one elevator shall be accessible to, and usable by, the physically handicapped on the level that they use to enter the building, and at all levels normally used by the general public.

4.12 Controls - Switches, mechanisms and controls for light, heat, ventilation, fire alarms and other controls of essential use shall be mounted so as to be reached by individuals in wheelchairs.

4.13 Seating Accommodations

- (a) Places of assembly with fixed seating arrangements in the aforementioned buildings shall provide performance viewing positions (parking space) for wheelchair persons in accordance with the following schedule:

<u>Capacity of Assembly Space</u>	<u>No. of Viewing Positions</u>
Up to 50	Minimum 1
51 to 100.....	Minimum 2
101 to 500.....	Minimum 3
501 to 1000.....	Minimum 4
1001 to 1500.....	Minimum 5
Over 1500 - Minimum 5 plus 1 for each 300 over 1500	

- (b) Viewing positions for wheelchair persons shall be provided in a reasonable and convenient section or sections of the facility by either or both of the following methods:
- (1) Providing portable seats which can be easily removed:
 - (2) Providing clear space devoid of any portable or fixed seating arrangements.

These positions shall be located so as not to interfere with egress from any row of seats, shall be reachable by means of ramps and/or elevators, and shall not infringe upon aisle requirements.

- (c) There shall be no steps in the aisles or in the access route to the performance viewing positions, but the aisles may be inclined.

Section 5. In addition to the structures covered in Section 2 (a through i), certain other buildings are also included in this ordinance.

5.1 Restaurants, Department Stores, Other Retail and Wholesale Stores, Gas Stations.

- (a) At least one outside door shall be a minimum of 32 inches wide. All inside doors and openings shall be a minimum of 32 inches wide.
- (b) Section 4.8 of this Ordinance dealing with rest rooms shall apply.

5.2 Hotels, Motels, Apartment Buildings and Complexes.

One unit out of every 24 units shall have an outside door with a minimum of 32 inches in width. all doors and opening within the unit shall be at least 32 inches wide.

Section 6. For purposes of providing further information for planning purposes, the following definitions and data shall apply.

6.1 A Physically Disabled Person

A physically disabled person shall be defined as one who because of some disability, is confined to a wheelchair or has impairments that cause the individual to walk with difficulty or insecurity, including those individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills; sight disabilities of total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger; hearing disabilities or deafness that might make an individual insecure in buildings because he is unable to communicate or hear warning signals; disabilities of incoordination or peripheral nerve injury; aging or those manifestations of the aging process that significantly reduce mobility, flexibility, coordination, and perceptiveness not accounted for in the aforementioned categories.

6.2 Wheelchairs

The collapsible model wheelchair of tubular metal construction with plastic upholstery for back and seat is most commonly used. The standard model of all manufacturers falls within the following limits, which is used as the basis of considerations:

Length: 42 inches

Width: when open, 25 inches.

Height of seat from floor: 19 ½ inches.

Height of pusher handles (rear) from floor: 36 inches.

Width, when collapsed: 11 inches.

The fixed turning radius of a standard wheelchair, wheel to wheel, is 18 inches. The fixed turning radius, front structure is 31.5 inches. The average turning space required (180 and 360 degrees) is 60 x 60 inches. (In an area with two open ends, such as might be the case in a corridor, a minimum of 54 inches between two walls would permit a 360 degree turn.)

6.3 Individual on Crutches

Most individuals on braces or crutches, or both, or on canes are able to manipulate within the specifications prescribed for wheelchairs, although doors present a problem at times.

On the average, individuals 5 feet 6 inches tall require an average of 31 inches between crutch tips in the normally accepted gates. On the average, individuals 6 feet 0 inches tall require an average of 32.5 inches between crutch tips in the normally accepted gaits. (Note: Some cerebral palsied individuals and some severe arthritics, would be exceptions to the above specifications.)

Section 7. Enforcement and penalty shall be as follows:

- (a) A building permit shall not be granted unless the provisions of this ordinance are met by the applicant.
- (b) Violation of any provision of this ordinance, upon conviction, shall result in a fine not less than \$50.00 nor more than \$1,000.00.
- (c) Violators, one cited, shall have 120 days to correct said violation. Failure to do so shall constitute another violation of the Ordinance, and be subject to the penalty outlined in Section 5 (b) above.

Section 8. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect

the validity or constitutionality of this ordinance as a whole or any other part, section, clause, provision, or portion of this ordinance.

Section 9. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-11-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-30-73 on the 11th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of December, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of December, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-01

SPECIAL ORDINANCE NO. S-136-73

AN ORDINANCE approving a certain bid document with
PAVE-MARK CONTRACTORS for equipment and materials
for Thermo Plastic Pavement Marking.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 546 dated October 17, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, for:

One (1) Thermoplastic Machine Applicator	\$2,500.00
One (1) Thermoplastic Melter	5,500.00
2,000 lbs. Thermoplastic Pavement Marking Compound	1,000.00

as more specifically set forth in said bid document Ref. No. 546 and Purchase Order No. 3-201501 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-136-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-02

SPECIAL ORDINANCE NO. S-137-73

AN ORDINANCE approving a certain bid document of Poinsatte Motors, Inc. for five new Police Department sedans cars, with four trade-ins, and authorizing acquisition of same by the Purchasing Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a certain bid document Ref. No. 557 dated November 7, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and Poinsatte Motors, Inc., for:

5 1974 Four-Door Sedans, Police Package, with four trade-ins.	\$14,996.90
--	-------------

as more specifically set forth in said bid document ref. no. 557 and Purchase Order No. 3-21169E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-26-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No S-137-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-03

SPECIAL ORDINANCE NO. S-138-73

AN ORDINANCE approving certain bids with Eastman Kodak Co. and Office Systems, Inc. for Records-Keeping Equipment for the Police Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That certain bid documents Ref. No. 539 dated August 27, 1973, between the City of Fort Wayne, by and through its Mayor and the Department of Public Safety and Eastman Kodak Co. and Office Systems, Inc., for:

EASTMAN KODAK CO.

Recordak Micro-Thin Jacket Reader-Filler, Model FRF-1600 (PN #7250)	\$1,350.00
Recordak Motormatic Reader, Model MPG-TL (PN #6538)	1,520.00
19X Lens Kit (PN #6516)	120.00
Recordak Printer, Model ERG-1 (PN #6545)	1,125.00
Printer Base, Model B (PN #6529)	500.00
Unit Record Adapter (PN #6550)	180.00
11" Print Platen (PN #6533)	110.00
Recordak Easamatic Reader, Model PFCD (PN #7204)	200.00
Full 4 x 6 Flats (PN #7211)	10.00
21.5X Lens Kit (PN #7205)	20.00
	<u>\$5,135.00</u>

OFFICE SYSTEMS, INC.

Automated File Unit to House Detective Cases	\$6,275.00
Automated File Unit to House Fingerprint Cards (8x8")	\$ 8,195.00
	<u>\$14,470.00</u>

all for a total cost of \$19,605.00 of which only \$4,901.25 will be a direct city expenditure, as more specifically set forth in said Bid Document Ref. No. 539 and Purchase Orders numbered 3-1958E and 3-19586E which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all thing ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-138-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-05

RESOLUTION NO. R-127-73

A RESOLUTION transferring certain funds from
Account No. 61-111 Salaries to Account No.
61-055 Public Relations in the Mayor's Office.

WHEREAS, there are insufficient funds in Account No. 61-055 Public Relations to pay public relations invoices for the balance of 1973: and

WHEREAS, there are sufficient funds in Account No. 61-111 Salaries to cover said invoices.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 61-111 Salaries \$4,300.00

to

Account No. 61-055 Public Relations.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico

Nays: One
D. Schmidt

Date: 12/16/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-127-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-08

RESOLUTION NO. R-128-73

A RESOLUTION transferring certain funds from Account No. 3461, 111 Services Personal to Account No. 3461, 200 Services Contractual in the 1973 Budget of the Department of Human Resources (Revenue Sharing - Project I).

WHEREAS, there are insufficient funds in Account No. 3461, 200 Services Contractual to allow for impending/anticipated contractual services performed therefore in the future; and

WHEREAS, there are sufficient funds in Account No. 3461, 111 Services Personal to meet said impending/anticipated contractual services.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 3461, 111 Services Personal \$1,000.00

to

Account No. 3461, 200 Services Contractual.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-128-73 on the 26th day of December, 1973.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk'

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-21

RESOLUTION NO. R-129-73

A RESOLUTION authorizing payment for repairs
to Police Garage Vehicle # 75.

WHEREAS, Police Garage Vehicle #75 was damaged in an accident on September 27, 1973 on the grounds of Superior Iron & Metal Company; and

WHEREAS, settlement in the amount of \$179.56 was made by CNA Insurance, which money was receipted into the General Fund ; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$179.56, which is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

1. That the City Controller is authorized to pay the sum of \$179.56 to Jim Kelley Buick for repairs to said Police Garage Vehicle #75.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt , V.Schmidt, Stier, Talarico

Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-129-73 on the 26th day of December, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-22

RESOLUTION NO. R-130-73

A RESOLUTION authorizing payment for repairs
to City Unit #257.

WHEREAS, City Unit #257 was damaged in an accident by Steven K. Hoy, employed by Bunn Trucking, Inc.; and

WHEREAS, settlement in the amount of \$111.48 was made by General Accident Fire and Life Assurance Corporation, which money was receipted into the General Fund; and

WHEREAS, City Utilities Garage has submitted an estimate in the amount of \$111.48, which is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$111.48 to City Utilities Garage for repairs to said City Unit #257.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-130-73 on the 26th day of December, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-73-12-23

RESOLUTION NO. R-131-73

A RESOLUTION authorizing payment for repairs to Police Vehicle #25.

WHEREAS, Police Vehicle #25 was damaged in an accident at the corner of Webster and Washington Streets on October 29, 1973; and

Whereas, settlement in the amount of \$202.04 was made by State Farm Insurance, which money receipted into the General Fund; and

WHEREAS, Jim Kelley Buick Has submitted an estimate in the amount of \$202.04, which is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$202.04 to Jim Kelley Buick for repairs to Police Vehicle #25.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-131-73 on the 26th day of December, 1973.

ATTEST (SEAL)

Charles W. Westerman
City ClerkWinfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-10-33

ZONING MAP ORDINANCE NO. Z-24-73

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R-3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C5, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Lot 7 in Pixley Subdivision to the City of Fort Wayne, Indiana, according to the plat thereof, recorded in Plat Record 5, page 14, in the Office of the Recorder of Allen County, Indiana; and also part of Lot 426 in Lakeside Park Addition to the City of Fort Wayne, Indiana, according to the plat thereof, recorded in Plat Record 1, page 54, in the Office of the Recorder of Allen County, Indiana, more particularly described as follows: Commencing at the Northeast corner of said Lot 7 in Pixley Subdivision, thence South along the East line of said Lot 7 and the West line of Crescent Avenue 37.0 feet, thence along West and parallel to the North line of said Lot 7 a distance of 99.5 feet to the point of beginning for the parcel of land herein described, thence continuing West and parallel to the North line of said Lot 7 a distance of 34.2 feet to East line of 12.0 foot alley, thence South 112.3 feet along East line of said 12.0 foot alley to Northerly line of Rivermet Avenue and the Southwest corner of said Lot 426, thence Northeasterly along Northerly line of Rivermet Avenue and the Southerly line of said Lot 426 a distance of 39.7 feet, thence Northerly 94.4 feet to point of beginning.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance Z-24-73 on the 26th day of December, 1973.

ATTEST (SEAL)

Charles W. Westerman
City ClerkWinfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-10-50

ZONING ORDINANCE NOL.Z-25-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B13

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Codes of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Map No. B13 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot Number 62 Highland Park Forest Addition, excepting therefrom the portion thereof described as follows:

Commencing at the southeast corner of said lot, thence running west along the south line of said lot to the southwest corner thereof; thence northeastward along the west line of said lot 51.5 feet; thence southeasterly to the place of beginning.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-25-73 on the 26th day of December, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-09-21

ZONING ORDINANCE NO. Z-10ST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. EE2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 district under the terms of Chapter 36, Municipal Codes of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. EE2 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

All that part of Lot numbered thirty three (33) Hartman's Out Lots in the West one-half (1/2) of Section 9, Township 30 North, Range 12 East, in Allen County, Indiana, described as follows, to-wit:

Beginning at a point on the north line of the Covington Road, 302.0 feet east of the east line of Fillmore Street, thence east along the North line of the Covington Road 240.0 feet to the west line of the Indiana Service Corporation right-of-way, thence Northerly along the said west line of the Indiana Service Corporation right-of-way a distance of 290.65 feet to the center of the Junk Ditch; thence South and West with the meanderings of the Junk Ditch to a point 130 feet North of the North Line of the Covington Road; thence South parallel to the east line of Fillmore Street 130 feet to the point of beginning.

~~SECTION 2~~

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None

Nays: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 12/26/73

Charles W. Westerman
City Clerk

ATTEST (SEAL)

Charles W. Westerman
City Clerk

BILL NO. G-73-12-13

GENERAL ORDINANCE NO. G-31-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Jefferds Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public street by JAMES A. ERNST, KENNETH B. ERNST, EVA M. ERNST, RALPH H. BENTZ and GLEN I. BENTZ having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on November 26, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stats. 1964 Replacement, §53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne On November 26, 1963, is amended by deleting the following portion of Jefferds Avenue in Fort Wayne, Allen County, Indiana, to-wit:

Jefferds Avenue, from the East line of Sidney Street to the Southwesterly line of U.S. Highways 24 and 30, located in Lincoln Highway Park Addition to the City of Fort Wayne, according to the recorded plat thereof.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-31-73 on the 26th day of December, 1973.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-12-14

GENERAL ORDINANCE NO. G-32-73

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of portions of Redwood Avenue and Felician Street.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of public streets by City of Fort Wayne by and through its Department of Public Works having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on November 26, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stats. 1964 Replacement, §53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portions of Redwood Avenue and Felician Street in Fort Wayne, Allen County, Indiana, to-wit:

Redwood Avenue from the South right-of-way of Raymond Avenue South to the North right-of-way of Pontiac Street.

Felician Street from the East right-of-way of Redwood Avenue east to the West side of the first North-South alley East of Redwood Avenue; thence East from the East side of the North-South Alley to the West Right-of-way of Bueter Road.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly verified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V/.Schmidt, Stier, Talarico

Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-32-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-12-15

GENERAL ORDINANCE NO. G-33-73

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of portions of Adams and
Turpie Streets.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of public streets by the City of Fort Wayne by and through its Department of Public Works having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on November 26, 1973 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana (Burns Ind. Stats. 1964 Replacement, § 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portions of Adams Street and Turpie Street in Fort Wayne, Allen County, Indiana, to-wit:

Adams Street from the South right-of-way of Drexel Avenue South to the North side of the first East-West alley South of Drexel Avenue.

Adams Street from the South side of the first East-West alley South of Drexel Avenue South to the North right-of-way of Trentman Avenue.

Adams Street from the South right-of-way of Trentman Avenue South to the North side of the First East-West alley South of Trentman Avenue.

Adams Street from the South side of the first East-West alley south of Trentman Avenue South to the North right-of-way of Oxford Street.

Turpie Street from the South right-of-way of Evans Street South to the North side of the first East-West alley South of Evans Street.

Turpie Street from the South side of the first East-West alley South of Evans street South to the North right-of-way of Ormsby Street South to the North right-of-way of Drexel Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-33-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-16

SPECIAL ORDINANCE NO. S-139-73

AN ORDINANCE approving a contract with ALL-PHASE
ELECTRIC for cable for Light Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved November 29, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and ALL-PHASE ELECTRIC, for:

15,000 Ft. 1/2" 7x#6, 40% conductivity, high strength copperweld messenger for aerial cable	\$6,227.12
--	------------

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 2605, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-139-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-17

SPECIAL ORDINANCE NO. S-140-73

AN ORDINANCE approving a contract with CLOW
CORPORATION for the purchase of material for Water
Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved November 21, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and CLOW CORPORATION, for:

2682 ft. 12" Ductile Iron-Bell-Tite Pipe	15,823.80
2 ea 6" C.I. Anchoring Ells-F1218	96.00
4 ea 12"x12"x12" M.J. Tee w/set screw	840.00
2 ea 12"x6" Rudcer M.J. F-960	122.00
1 ea 12"x90" Ells, M.J. F-925	98.00
1 ea 12"x22-1/2" Ell, M.J. F-935 w/set Screw	118.00
	<u>\$17,097.80</u>

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 2405, which is by reference incorporated herein and made a part hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None

Date: 12/26/73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-140-73 on the 26th day of December, 1973.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1973, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-19

SPECIAL ORDINANCE NO. S-01-74

AN ORDINANCE approving an Agreement with County Commissioners for conveyance of real estate.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement To Convey Real Estate dated December 18, 1973, between the City of Fort Wayne, by and through its Board of Public Works and THE BOARD OF COMMISSIONERS OF ALLEN COUNTY, for the conveyance of the following described real estate:

Lots 55 through 67 inclusive in Westview Heights Addition, an addition to the City of Fort Wayne, as evidenced by the Plat thereof in the County Recorder's office of Allen County, Indiana.

all as more particularly set forth in said Agreement to Convey Real Estate which is on file in the office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D.Schmidt, V.Schmidt, Stier, Talarico
Nays: None

Date: 1-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-01-74 on the 8th day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-20

SPECIAL ORDINANCE NO. S-02-74

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for two (2) Four-door sedans.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 556 dated December 4, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, for:

ALLEN COUNTY MOTORS, INC.

2 - Four Door Sedans - 1974

\$5,129.00

as more specifically set forth in said bid document Ref. No. 556 and Purchase Order No. 3-21273 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all thing ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 1-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-02-74 on the 8th day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-01-04

RESOLUTION NO. R-01-74

A RESOLUTION authorizing payment for repair to Police Vehicle #80.

WHEREAS, Police Vehicle #80 was damaged in an accident on October 16, 1973 at the corner of Lafayette and Superior Streets; and

WHEREAS, settlement in the amount of \$255.18 was made by Alan and Miriam Lord, which money was receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate in the amount of \$255.18, which is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$255.18 to Jim Kelley Buick for repairs

to said Police Vehicle #80.

WILLIAM T. HINGA

Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-01-74 on the 8th day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-25

SPECIAL ORDINANCE NO. S-03-74

AN ORDINANCE approving a Contract with GROSJEAN & SONS for paving the alley between Tennessee and Anderson Avenues

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved December 6, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GROSJEAN & SON for the paving of the alley as follows:

6" Plain Concrete including flares and wings to the alley between Tennessee Avenue and Anderson Avenue from the west property line of McAfee Street to its western terminus

for a total cost of \$12,691.00, of which the City will pay \$4,536.00 with the balance of \$8,155.00 paid by the property owners, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Moses, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-03-74 on the 8th day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by Me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-26

SPECIAL ORDINANCE NO. S-04-74

AN ORDINANCE approving a contract with NORTH EASTERN ENTERPRISES, INC. for construction of water line in Walden Addition, Section II.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract approved December 11, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and NORTH EASTERN ENTERPRISES, INC. for installation of a water line, to be constructed and installed as follows:

400± feet of twelve (12) inch water main, including all necessary fittings as follows:

From the existing main on Bristers Spring Run northward 400± feet to the north property line of lot 117, all in Walden Addition, Section II.

for a total cost of \$5,516.00 of which the City will be paying \$3,362.50 and the cost of \$2,147.50 for oversizing to be paid by utility, all as more particularly set forth in said Contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

James S. Stier
Councilman

Read the third time in full and on motion by Moses, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 1-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-04-74 on the 8th day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-27

SPECIAL ORDINANCE NO. S-05-74

AN ORDINANCE approving a contract with
NATIONAL MILL SUPPLY CO. for three 250 KVA transformers.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved December 6, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NATIONAL MILL SUPPLY CO., for

3 - 250 KVA Transformers	\$3,687.00
--------------------------	------------

all as more particularlu set forth on CITY UTILITIES PURCHASE ORDER NO. 2668, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-8-74
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-05-74 on the 8th day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-28

SPECIAL ORDINANCE NO. S-06-74

AN ORDINANCE approving a contract with CROY, CRUM
& ENGLISH and R. G. HALEY CO., INC. for material
to be used for two new substations.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts approved December 5, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CROY, CRUM & ENGLISH and R.G. HALEY CO., INC., for:

CROY, CRUM, & ENGLISH - CITY UTILITIES P.O. 2660	
45,000 ft. Hendrix Aerial Cable	\$19,215.00
200 Hendri-Clamps	<u>1,400.00</u>
	\$20,615.00

R.G. HALEY CO., INC. - CITY UTILITIES P.O. 2649	
65 60' Class #2, Western Red Cedar Poles	\$22,018.75
TOTAL	<u>\$42,633.75</u>

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NOS. 2660 and 2649, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 1-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-06-74 on the 8th day of January, 1974,

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 9th day of January, 1974, at the hour of 3:00 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-02

SPECIAL ORDINANCE NO. S-07-74

AN ORDINANCE approving a certain bid
with GENERAL TRUCK SALES CORPORATION for
six trucks for Board of Park Commissioners.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That certain bid document Ref. No. 545 dated September 21, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and GENERAL TRUCK SALES CORPORATION, for:

4	-	1974 One-Ton Dump Trucks	\$18,114.84
1	-	1974 One-Ton Dump Truck	3,745.06
1	-	1974 Step-Van	3,598.57
			<u>\$25,458.47</u>

all for a total cost of \$25,458.47, as more specifically set forth in said Bid Document Ref. No. 545 and Purchase Order 3-20148 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 1-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-07-74 on the 22nd day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd. day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1974, at the hour of 3:00 o'clock P.M.,
E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. ²⁴ S-01-03

SPECIAL ORDINANCE NO. S-08-74

AN ORDINANCE approving a certain bid
with ALLEN COUNTY MOTORS, INC. for one
truck cab and chassis.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That certain bid document Ref. No. 545 dated September 21, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and ALLEN COUNTY MOTORS, INC., for

1 - 1974 One Ton Dual Wheel Truck Chassis \$5,000.00

all as more specifically set forth in said Bid Document Ref. No. 545 and Purchase Order No. 3-2-0149 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-08-74 on the 22nd day of January, 1974.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-12-24

GENERAL ORDINANCE NO. G-01-74

AN ORDINANCE amending certain Schedules of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Schedules and Sections of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same are hereby amended as follows:

Schedule 1A, Section 21 (b) as referred to "Authorization of Traffic Signals" by adding thereto the following:

TRAFFIC SIGNAL

Washington Center Road at Dartmouth Drive

Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones" by adding thereto the following:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT

Paulding Road -- from -- Lafayette Street to Decatur Road

SPEED LIMIT 35 MPH

Washington Center Rd. -- from -- Coldwater Rd. to west city limits.

SPEED LIMIT 40 MPH

Parnell Ave. - northbound - from St. Joe River to Clinton St.

Parnell Ave. - southbound - from Clinton St. to Spy Run Extended (Swanson Blvd.)

Schedule 3, Section 170 "One-Way Streets and Alleys" by adding thereto to sub-paragraph (a) "Streets" the following:

STREET	DIRECTION	FROM	TO
Weisser Park Ave.	northbound	Pontiac St.	Creighton Ave.
John St.	southbound	Creighton Ave.	Pontiac St.
Gay St.	north bound	Pontiac St.	Creighton Ave.
Smith St.	southbound	Creighton Ave.	Pontiac St.
Sherwood Terrace	westbound	Old Mill Rd.	Stratford Rd.
Oliver St.	northbound	Pontiac St.	Creighton Ave.
Bowser Ave.	southbound	Creighton Ave.	Pontiac St.

Schedule 5, Section 172, "Intersection Where Stop Required", by adding thereto the following:

STOP INTERSECTION

STREET	
Hurd Street	Stop -- at Reed Street
Merivale Street	Stop -- at Glenhurst Avenue

Schedule 7, Section 174, "Parking Prohibited at All Times on Certain Streets", by adding thereto the following:

STREET	SIDE	FROM	TO
Carew St.	east	S/terminus (cul-de-sac)	390' N/thereof
Washington Cntr. Rd.	both	Coldwater Rd.	E/City Limits
Lakeview Ave.	east	Lofty Drive	State Blvd.
Randallia Drive	west	Forest Ave.	State Blvd.
Dunnwood Dr.	south	Clinton St.	300' E/thereof
Ley Road	both	Lima Road	Speedway Dr.
Clinton St.	both	Coldwater Rd.	N/City Limits

Schedule 8, Section 175 "Parking Prohibited During Certain Hours on Certain Streets", by adding thereto the following:

NO PARKING 3:00 P.M. - 6:00 P.M. MONDAY THRU FRIDAY

STREET	SIDE	FROM	TO
Main Street	North	Calhoun Street	Ewing Street

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 1-22-74
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-01-74 on the 22nd day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd. day of January, 1974, ath the hour of 10:00 o'clock A.M.,E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-73-12-29

SPECIAL ORDINANCE NO. S-09-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for construction of a storm drain in the area of Roth Road along Hurshtown Reservoir.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract dated December 11, 1973 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC. for construction of a storm drain along the Hurshtown Reservoir in the area of Roth Road, as follows:

An 18" storm drain along the east and south sides of the Hurshtown Reservoir, starting at the Roth Road approximately 2,330 feet south of the Hurshtown Road, at two existing beehive catch basins, then southward a distance of 205+ feet, then westward a distance of 555+ feet to an existing open ditch.

for a total cost of \$9,630.00 to be paid by Water Utility money, all as more particularly set forth in said Contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico, V. Schmidt
Nays: None

Date: 1-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-09-74 on the 22nd day of January, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of January, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of January, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-01-01

RESOLUTION NO. R-02-74-VETOED

A RESOLUTION CONCERNING DISMISSAL OF TWO (2) MEMBERS OF THE FORT WAYNE REDEVELOPMENT COMMISSION'S STAFF.

The Common Council of the City of Fort Wayne condemns the recent action taken by the Fort Wayne Redevelopment Commission in which two members of the Commission's staff were dismissed on January 4, 1974.

This dismissal took place after both the Fort Wayne Redevelopment Commission and the Common Council had promised immunity to Dennis Winters and Ghulan Jelina for testimony given by them on the East Central Neighborhood Development Project, which testimony was given in a meeting held on December 17, 1973. The immunity promised on that date had no stipulations whatsoever.

The requalifications of the immunity as now being interpreted by the Fort Wayne Redevelopment Commission is not what was agreed to jointly by the Fort Wayne Redevelopment Commission and the Common Council of the City of Fort Wayne.

The Common Council of the City of Fort Wayne by this Resolution does not maintain that testimony given by the above named staff members of Fort Wayne Redevelopment Commission is either accurate or inaccurate. Only time may determine that.

This Resolution is intended to protect the rights of the individuals in question who came forward under a cloak of immunity guaranteed them by the Fort Wayne Redevelopment Commission and the Common Council of the City of Fort Wayne; therefore

BE IT RESOLVED, The Common Council of the City of Fort Wayne asserts the following two (2) points:

- 1) The pledge of immunity must be honored by the Fort Wayne Redevelopment Commission as it is being honored by the Common Council of the City of Fort Wayne;
- 2) The Fort Wayne Redevelopment Commission must at once rehire the individuals who have been so dismissed.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Moses, and duly adopted, placed on its passage. This Resolution was Lost by the following Vote required to override a veto.

Ayes: Five
Kraus, Moses, D. Schmidt, V. Schmidt, Stier
Nays: Three
Burns, Hinga, Nuckols
Abstained: One

Date: 1-22-74

Charles W. Westerman
City Clerk

BILL NO. S-74-01-05

SPECIAL ORDINANCE NO. S-10-74

AN ORDINANCE approving a certain bid document with PEARSON, INC. for furnishing and installing heating and humidity control system at McMillen Ice Rink.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 561 dated January 8, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and PEARSON, INC., for:

Heating and Humidity Control System \$83,180.00

as more specifically set forth in said biddocument Ref. No. 561 and Purchase Order No. 3-22054, which are on file in the office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

~~Read the first time in full and on motion by Hinga, seconded by Kraus, and duly adopted, read the second time by title and referred to the Committee on Finance.~~

~~Date: 1-22-74~~

~~Charles W. Westerman
City Clerk~~

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico, V. Schmidt
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-10-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-06

SPECIAL ORDINANCE NO. S-11-74

AN ORDINANCE approving a certain bid document
with ALLEN COUNTY MOTORS, INC., for One (1)
Four-Door Sedan.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 560 dated January 2, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and ALLEN COUNTY MOTORS, INC., for

1-Four-Door Sedan with trade in \$3,190.00

as more specifically set forth in said bid document Ref. No. 560 and Purchase Order No. 3-21901H which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

~~Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Finance.~~

Date: ~~1-22-74~~

~~Charles W. Westerman
City Clerk~~

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-11-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman,
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-07

SPECIAL ORDINANCE NO. S-12-74

AN ORDINANCE approving a certain bid document
with ALLEN COUNTY MOTORS, INC. for 1974
Cab and Chassis.

SECTION 1. A certain bid document Ref. No. 548 dated October 25, 1973, between the City of Fort Wayne, by and through its Mayor and Traffic Engineering and ALLEN COUNTY MOTORS, INC., for:

1 - 1974 Model Cab and Chassis

as more specifically set forth in said bid document Ref. No. 548 and Purchase Order No. 3-20534 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

~~Read the first time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Finance.~~

~~Date: 1-22-74~~

~~Charles W. Westerman
City Clerk~~

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-12-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-08

SPECIAL ORDINANCE NO. S-13-74

AN ORDINANCE approving a certain bid document
with DON AYRES PONTIAC AND POINSATTE MOTORS,
INC. for passenger cars.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 559 dated December 20, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, DON AYRES PONTIAC and POINSATTE MOTORS, INC for

Don Ayres Pontiac	(Purchase Order No. 3-21902H)
One (1) Passenger Car with trade	\$ 3, 823. 99

Poinsatte Motors, Inc.	(Purchase Order No. 3-21903H)
Two (2) Passenger Cars with trade	<u>\$ 7,278.46</u>

TOTAL	\$11,102.45
-------	-------------

as more specifically set forth in said bid document Ref. No. 559 and said purchase orders which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-13-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-02-17

RESOLUTION NO. R-03-74

A RESOLUTION authorizing the issuance and sale of \$500,000. Economic Development Revenue Bonds, Series 1974 (Patton Electric Project) of the City of Fort Wayne, Indiana for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities to be constructed and operated by authorizing execution of a loan agreement to Patton Electric; Providing for the pledge of revenues for the payment of said Bonds; Authorizing an indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4. 5-1 through 18-6-4. 5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to make loans to users for the construction of economic development facilities as those words are defined in the Act and to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Patton Electric (the "Company") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Company has agreed to construct economic development facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of construction of economic development facilities by the Company; and

WHEREAS, the Commission has by such resolution approved a report estimating the public service which would be made necessary or desirable, the expense thereof, the number of jobs the estimated payroll on account of the acquisition of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and has transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the costs of such facilities, the loan agreement and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City of the Secretary of the Commission.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series (1974) (Patton Electric Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and around the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$500,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$500,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Patton Electric Project) of the City (the "Series 1974 Bonds"). It is hereby recognized that pursuant to the terms of the loan agreement the balance of the cost of the Project will be paid by the Company unless paid for out of the proceeds of additional parity bonds (the Additional Bonds) as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Loan Agreement, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council and to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$500,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual signature of the Clerk and shall

and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the Project (except to the extent payout of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature of such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the series 1974 Bonds. The Mayor is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Inservability of provisions of the Indenture.

SECTION 9. General. The Mayor, Clerk and City Controller be and they each hereby are authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any and all matters, and do any and all things deemed by the, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Company, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture and the loan agreement, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and loan agreement, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 10. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporate herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effect upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325 the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 2-12-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-03-74, on the 12th day of February, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-02-18

RESOLUTION NO. R-04-74

A RESOLUTION authorizing the issuance and sale of \$1,100,000. Economic Development Revenue Bonds, Series 1974 (Kunkle Valve Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Kunkle Valve authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4. 5-1 through 18-4. 5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Kunkle Valve (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. 5-19-72, and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic

welfare of the City would be benefited by the acquisition and leasing to Kunkle Valve of economic development facilities, such lease to be guaranteed by Kunkle Valve; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Kunkle Valve Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to wit: insufficient employment opportunities and insufficient diversification of industry, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$1,100,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$1,100,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Kunkle Valve Project) of the City (the "Series 1974" Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council and to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$1,100,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the Bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, City Controller and City Treasurer be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any and all matters, and do any and all things deemed by them, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All Documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325 the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico, Nuckols
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-04-74 on the 12th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-06-27

ZONING MAP ORDINANCE NO. Z-01-74

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D1, D3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 28 36 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map no. D1, D3, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Number Three(3) and $\frac{1}{2}$ of vacated
Alley, adjoining said Lot on the West side
thereof, in White's 1st Addition to the
City of Fort Wayne Deed Record Book
Number 746. Page Numbers 6-7.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. Z-01-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-10-51

ZONING ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. A6 and B6

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Codes of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne. Zoning Map No. A6 & B6 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

South 12.1 feet of Lot # 73 and Lot # 74
in Avondale Addition - R-503 Pg. 211
Lot # 75 Avondale Addition R-407 Pg. 309
Lot # 76 Avondale Addition R-540 Pg. 547
Lot # 77 Avondale Addition Doc. # 70-17637
Lot # 78 Avondale Addition Doc. # 73-24340

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
Burns
Nays: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Date: 2-12-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-11-31

ZONING ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. A A5.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Codes of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Map No. A A5 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot "C" except therefrom the north sixty (60) feet
in Sweetser's Amended Subdivision, according to
the plat thereof recorded in Plat Record 3, page
81 in the office of the Recorder of Allen County,
Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
Nays: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Date: 2-12-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-11-47

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. D14, D16, C14,8, C16.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D14, D16, C14,8, C16 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 2, 3, 4, 5, 6, and the east 115 feet of Lot
1, all in Curdes South Acre Addition, City of
Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Three
Kraus, Moses, D. Schmidt
Nays: Six
Burns, Hinga, Nuckols, V. Schmidt, Stier, Talarico

Date: 2-12-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-02-07

ZONING MAP ORDINANCE NO. Z-03-73-Vetoed

AN ORDINANCE changing certain area from B-4
to RA District.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a RA District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. referred to therein, are hereby changed accordingly, to-wit:

Fractional South 879.8 feet of the North
1323.43 feet, west half, southwest quarter
except west 438.12 feet south of north 50
feet, Section 29, and 90.2 feet triangle
space adjacent on southeast contains 15.926
acres.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-27-73

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-03-73 on the 27th day of March, 1973.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Winfield Moses Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of March, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

BILL NO. Z-73-08-45

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance changing certain area from B-4 to RA District have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns

Concurred in 2-12-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-11-33

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance Amending the City of Fort Wayne Zoning Map No. FF1 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 2-12-74

Charles W. Westerman
City Clerk

BILL NO. S-74-01-13

SPECIAL ORDINANCE NO. S-14-74

AN ORDINANCE approving Change Order No. 1 with BERCOT, INC. in connection with Neuhaus Ditch Interceptor Sewer, Resolution No. 853

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order no. 1, with BERCOT, INC., in connection with Neuhaus Ditch Interceptor Sewer, Resolution No. 853, for the increased cost of labor and materials due to a delay period between the time of award and Notice to Proceed at an additional cost of \$17,997.52, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-14-74 on the 12th day of February, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-14

SPECIAL ORDINANCE NO. S-15-74

AN ORDINANCE approving a contract with
Maumee Construction for paving Emma
Avenue.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated January 10, 1974 between MAUMEE CONSTRUCTION CORPORATION and the CITY OF FORT WAYNE, by and through its Mayor and the Board of Public Works for the paving of Emma Avenue, as follows:

From the east property line of Steup Avenue to the west property line of Tyler Avenue for a total cost of \$26,457.85, of which the City will pay \$8,800.00, the balance paid by the property owners under the Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approve.

SECTION 2. This Ordinance shall be in full force and effect from and after ist passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-15-74 on the 12th day of February, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-15

SPECIAL ORDINANCE NO. S-16-74

AN ORDINANCE approving City Utilities Purchase Orders for the purchase of materials to be used in Street Lighting Projects for 1974.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. City Utilities Purchase Order Nos. 2814, 2860, 2861, 2864, 2866, 2867, 2904, 2909, 2912, 2930, and 2931, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works as follows:

#2814	Griffin Electric	Wire	\$ 4,998.00
#2860	Hadco Company	Luminaries	54,000.00
#2861	All-Phase Electric Co.	Mast Arms	6,050.00
#2864	Preferred Products Sales Co.	Poles	59,960.00
#2866	General Electric Company	Alley Lights	12,450.00
#2867	General Electric Company	Luminaries	100,764.00
#2904	All-Phase Electric Co.	Poles	128,838.00
#2906	Central Supply Company	Cable Duct	14,400.00
#2909	All-Phase Electric Co.	Floodlights	5,200.00
#2912	Central Supply Company	Conduit	5,049.60
#2914	Preferred Products Sales Co.	Poles/Brackets	103,971.50
#2930	All-Phase Electric Co.	Lamps	13,973.10
#2931	Central Supply	Lamps	<u>6,420.00</u>

TOTAL COST OF MATERIALS \$516,074.20

as more specifically set forth on said purchase orders, which are on file in the office of the Department of Purchasing and are by reference incorporated herein and made a part hereof. is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full for and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-16-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-01-17

SPECIAL ORDINANCE NO. S-17-74

AN ORDINANCE approving contracts with GENERAL ELECTRIC COMPANY, NATIONAL MILL SUPPLY and ITE IMPERIAL CORPORATION for Substation Equipment.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts approved November 15, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GENERAL ELECTRIC COMPANY, NATIONAL MILL SUPPLY, INC. and ITE IMPERIAL CORP. for:

<u>General Electric Company</u> - P. O. # 2468	
2 Primary substation transformers	\$66,808.00
<u>National Mill Supply, Inc.</u> - P. O. # 2469	
7 Type 345G2500, 3 tank, oil circuit breakers.	94,230.00
<u>ITE Imperial Corp.</u> - P. O. 2470	
10 Vacuum Circuit Breakers	44,820.00
	<u>\$205,858.00</u>

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NOS. 2468, 2469 and 2470, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-17-74 on the 12th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 15th day of February, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO S-74-02-05

SPECIAL ORDINANCE NO. S-18-74

AN ORDINANCE approving a contract with PREFERRED PRODUCTS SALES COMPANY for Street Lighting Program

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved February 1, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and PREFERRED PRODUCTS SALES COMPANY, for:

80 - Hapco alum. poles	\$18,720.00
80 - Hapco Brackets	2,880.00
	<u>\$21,600.00</u>

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 3333, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-18-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-06

SPECIAL ORDINANCE NO. S-19-74

AN ORDINANCE approving a certain bid document with BRATEMAN BROTHERS for blanket purchase order for police uniforms and equipment

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 558 dated December 20, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and BRATEMAN BROTHERS, for:

P. O. No. 3-22058E - Uniforms
P. O. No. 3-22059E - Miscellaneous Equipment

as more specifically set forth in said bid document Ref. No. 558 and said Purchase Order Nos. which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-19-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-07

SPECIAL ORDINANCE NO. S-20-74

AN ORDINANCE approving a certain bid document
with SCHMIDT ELECTRIC for Traffic Signal
Installation

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 550 dated November 15, 1973, between the City of Fort Wayne, by and through its Mayor and Traffic Engineering Department and SCHMIDT ELECTRIC, for

Installation of traffic signal at Hanna St. and Wallace St. for a cost of \$17,848.00

as more specifically set forth in said bid document Ref No. 550 and Purchase Order No. 3-20858 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-20-74 on the 26th day of February, 1974.

ATTEST (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-16

SPECIAL ORDINANCE NO. S-21-74

AN ORDINANCE approving an agreement with
I.B.M. CORPORATION, for Printer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated February 7, 1974, between the City of Fort Wayne, by and through its Mayor and the Traffic Engineering Department, and I.B.M. Corporation, for 1132-1324 Model 002 Printer Field Installation to 1801 Mod Kit to 1801 Computer Transportation in the amount of \$15,074.73, all as more particularly set forth on Purchase Order #3-22561, which is on file in the Department of Purchasing, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-21-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-20

SPECIAL ORDINANCE NO. S-22-74

AN ORDINANCE approving a certain bid document
for construction of and equipment for in
connection with Open Space Project OSC-1008

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 564 dated February 6, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and the following:

MOELLERING CONSTRUCTION CO. - P.O. 3-22855	
two Concrete Tennis Courts for Study Park	\$24,410.00
SILKWORTH CONSTRUCTION CO. - P.O. 3-22856	
Four Tennis Courts for Swinney Park	53,500.00
ARROW FENCE COMPANY - P.O. 3-22857	
Backstop for six tennis courts for Study and Swinney Parks	10,692.00

SCHMIDT ELECTRIC COMPANY - P.O. 3-22858
Lighting for Tennis Courts - Swinney Park

19,500.00

HERBERT JENNINGS CO. - P.O. 3-22859
1 Spiral Slide \$4,175
1 Prefab Park Shelter 4,095

8,270.00

for a total cost of \$116,372.00, all as more particularly set forth on said bid document Ref. No. 564 and said Purchase Orders, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance N. S-22-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-02-23

RESOLUTION NO. R-05-74

A RESOLUTION authorizing the temporary advancement of funds from the Local Road & Street, Public Lighting, Redevelopment Capital, Motor Vehicle Highway, Park Trust, Sewer Relief, Park Cumulative, St. Marys River Impounding, and Park General, Fire Pension, Police Pension, Emergency Medical Service, and Cumulative Capital funds for the period ending June 30, 1974

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of General Fund, Park General, Fire Pension, Police Pension, Emergency Medical Service and Cumulative Capital of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of Local Road & Street, Public Lighting, Redevelopment Capital Motor Vehicle Highway, Park Trust, Sewer Relief, Park Cumulative, St. Marys River Impounding, and Parking Meters funds of the City of Fort Wayne which can be temporarily advanced or transferred to said General Fund, Park General, Fire Pension, Police Pension, Emergency Medical Service, and Cumulative Capital Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Controller of the City of Fort Wayne be and hereby is authorized and directed to transfer the following sums from said accounts:

AMOUNT	FROM
\$500,000	Local Road & Street
500,000	Public Lighting
400,000	Redevelopment Capital
300,000	Motor Vehicle Highway
325,000	Park Trust
200,000	Sewer Relief
150,000	Park Cumulative
250,000	St. Marys Impounding River
100,000	Parking Meters
AMOUNT	TO ACCOUNT
2,225,000	General Fund
100,000	Fire Pension
100,000	Police Pension
150,000	Park General
50,000	Emergency Medical Service
100,000	Cumulative Capital

2. That said sums shall be returned and repaid to the Local Road & Street, Public Lighting, Redevelopment Capital, Motor Vehicle Highway, Park Trust, Sewer Relief, Park Cumulative, St. Marys River Impounding, Parking Meters funds on or before June 30, 1974.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-05-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 26th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-02-25

RESOLUTION NO. R-06-74

A RESOLUTION approving Budget of Fort Wayne and Allen County Convention and Tourism Authority for 12-month Period, Beginning 1-1-74 and Ending 12-31-74

WHEREAS, the Board of Managers of Fort Wayne and Allen County Convention and Tourism Authority has prepared and has submitted to the Common Council of the City of Fort Wayne its budget for the calendar year 1974 covering projected operating expenses, estimated income totally from Hotel room tax and a reserve fund, all as more particularly hereafter set forth; and

WHEREAS, Burns, Ind. Rev. Stat. 26-238, 1972 Cum Poc. Supp. requires not only the County Council but also the Common Council of the City of Fort Wayne to review, approve or reject same: and

WHEREAS, the Common Council of the City of Fort Wayne has reviewed said 1974 annual budget.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

1. The following proposed budget for the 12month period beginning 1-1-74 and ending 12-31-74 of Fort Wayne and Allen County Convention and Tourism Authority, which reads as follows:

INCOME

Estimated Income, 1974	194,000.00
------------------------	------------

BUDGETED EXPENSES

Consulting Fees	50,000.00
-----------------	-----------

Administrative Expenses Rent, Salaries, etc.	16,000.00
---	-----------

Attorney's fees	2,500.00
-----------------	----------

Miscellaneous Expenses Travel, office supplies, ect.	<u>7,500.00</u>
---	-----------------

Total Budget Requested	76,000.00
------------------------	-----------

RESERVE FUNDS

Less funds not expended by Authority from 1973 Budget	<u>28,960.00</u>
--	------------------

TOTAL NEW FUNDS REQUIRED	<u>47,000.00</u>
--------------------------	------------------

is hereby approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following motion:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74	Charles W. Westerman City Clerk
---------------	------------------------------------

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-06-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-09-10

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1 & GG1 by locating a Shopping Center Symbol thereon.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A Regional Shopping Center (B-2) Symbol is hereby located at the intersection of Illinois Road and State Road #14 under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof: and the symbols of the City of Fort Wayne Zoning Map No. FF1 & GG1, referred to therein, established by Section 9, Article III of said Chapter as amended, is hereby amended accordingly.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted. placed on its passage. LOST by the following vote:

Ayes: Three
Burns, Moses, Nuckols
Nays: Five
Kraus, D. Schmidt, V. Schmidt, Stier, Talarico
Abstained: One
Hinga

Date: 2-26-74

Charles W. Westerman
City Clerk

BILL NO. R-74-02-32

RESOLUTION NO. R-07-74

A RESOLUTION FOR RETENTION OF FULL
FREIGHT AND PASSENGER SERVICE BY
PENN CENTRAL RAILROAD IN THE CITY
OF FORT WAYNE AND IN THE FORT WAYNE
AREA.

WHEREAS, the Department of Transportation in accordance with the terms of the Regional Rail Reorganization Act of 1973 has submitted a report to Congress concerning rail service in the Midwest and Northeast regions; and,

WHEREAS, the report calls for the abandonment of the PennCentral Railroad right of way and operations within the city limits of Fort Wayne, Indiana; and,

WHEREAS, Fort Wayne, Indiana, is a major freight distribution center serving a large area in both Indiana and surrounding states; and,

WHEREAS, the Fort Wayne metropolitan and surrounding area consists of a population of over 500,000 and the City of Fort Wayne serves as the major originator of rail transportation in this area both for passengers and freight; and,

WHEREAS, rail transportation at a time of a national energy crisis provides the most efficient, non-polluting, and lowest per unit fuel consumption cost in the movement of passengers and goods.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, that the Department of Transportation be notified that the Common Council of Fort Wayne, Indiana, places itself on record as calling for the retention of the existing Penn Central Railroad passenger and freight service in and through the City of Fort Wayne, Indiana and the Fort Wayne area and that the Department of Transportation, the Interstate Commerce Commission and other interested governmental bodies be placed on notice that the Common Council strongly opposes the proposed abandonment of freight and most especially passenger service to the City of Fort Wayne by the Penn Central Transportation Company.

BE IT FURTHER RESOLVED that copies of this Resolution be supplied to Indiana's Senators Vance Hartke and Birch Bayh and Congressman J. Edward Roush.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-07-74 on the 26th day of February, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-10

SPECIAL ORDINANCE NO. S-23-74

AN ORDINANCE approving a contract with
SCHMIDT ELECTRIC, INC. for street lighting
in Tower Heights Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated January 16, 1974 between SCHMIDT ELECTRIC INC., and the CITY OF FORT WAYNE, by and through its Mayor and the Board of Public Works for:

Installing new street lighting in Tower Heights Addition, Sections C, D, and E

for a total cost of \$12,882.50, of which the City will pay \$11,094.20, the balance paid by the property owners at \$0.01 per square foot of their lot area up to a maximum of \$150.00, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-23-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-11

SPECIAL ORDINANCE NO. S-24-74

AN ORDINANCE approving Change Orders for
St. Joe Interceptor Sewer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following Change Orders in connection with the St. Joe Interceptor Sewer for the increase of pipe strength due to the earth weight they must carry:

JOHN DEHNER, INC.	Increase	\$3,117.37
EARTH CONSTRUCTION	Increase	3,005.80
BERCOT, INC.	Increase	2,636.35
HIPSKIND ASPHALT	Increase	2,710.00
EARTH CONSTRUCTION	Increase	2,560.00
HIPSKIND ASPHALT	Increase	2,930.91
HIPSKIND ASPHALT	Increase	3,485.25

for a total additional cost of \$20,445.68, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols
Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-24-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talairco
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-13

SPECIAL ORDINANCE NO. S-25-74

AN ORDINANCE approving contracts for
18 Units of Transportation and/or capital
equipment for various City Utilities
Departments

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts dated January 16, and 17, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the following, for:

HEFNER CHEVROLET, INC. - P. O. # 3142	
2 - 1974 Vega Station Wagone	5,090.82
INDUSTRIAL TRACTOR & EQUIPMENT. CO., - P. O. #3143	
1 - 1974 Backhoe Loader	13,100.00
HEFNER CHEVROLET, INC. - P. O. # 3144	
1 - 1974 Chevrolet, 3/4 Ton Van	3,423.48
HEFNER CHEVROLET, INC. P. O. # 3145	
2 - 1974 Chevrolet - 3/4 Ton Vans	6,76.96

HEFNER CHEVROLET, INC. - P. O. # 3146	
1 - 1974 Chevrolet, 2 Ton Cab & Chassis	5,230.00
DELPHI BODY WORKS - P. O. # 3147	
1 - Crew Cab Body	5,656.00
HEFNER CHEVROLET, INC. - P. O. # 3148	
1 - 2974 Chevrolet Body Truck	3,606.23
ALLEN COUNTY MOTORS - P. O. # 3149	
1 - 1974 Ford	7,034.00
ERNEST TRUCK EQUIPMENT - P. O. # 3150	
1 - Dump Body	1,884.50
ALLEN COUNTY MOTORS - P. O. # 3151	
1 - Econoline Van	3,293.00
TORCO EQUIPMENT CO. - P. O. # 3;52	
1 - Ford Heavy Dury Industrial Engine	3,475.00
HEFNER CHEVROLET - P. O. # 3153	
1 - 1974 Chevrolet 3/4 Ton Pick Up	3,257.46
ALLEN COUNTY MOTORS, INC. - P. O. # 3154	
1 - 1974 4-Door Sedan, Torino	2,831.00
HEFNER CHEVROLET, INC. - P. O. # 3155	
1 - 1974 Vega Station Wagon	2,532.91
DEEDS EQUIPMENT CO., INC. - # 3156	
2 - Portable Air Compressors	6,464.00
HEFNER CHEVROLET, INC. - P. O. # 3217	
2 - 1974 Vega 2-Door Sedans	4,673.36
TOTAL	\$78,309.11

all as more particularly set forth on said CITY UTILITIES PURCHASE ORDER NOS. which are by reference incorporated herein and made a part hereof are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Nuckols
Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-25-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff

BILL NO. S-74-02-14

SPECIAL ORDINANCE NO. S-26-74

AN ORDINANCE approving blanket purchase orders with NEPTUNE METER COMPANY and TRI-STATE PLUMBING SUPPLY CO., INC for materials for 1974 Water Construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts dated January 29, 1974 and January 30, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NEPTUNE METER COMPANY and TRI-STATE PLUMBING SUPPLY CO., INC., for :

NEPTUNE METER COMPANY - P. O. # 3326
Approximate Requirements - 1800 Meters
TRI-STATE PLUMBING SUPPLY CO., INC. - P. O. # 3327
Estimate usage for 1974 - 230 Hydrants

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NOS. 3326 and 3327, whcih are by reference incorporated herein and made a part hereof, are in all things ratified, confirmed and approved.

Section 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted. placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-26-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-15

SPECIAL ORDINANCE NO. S-27-74

AN ORDINANCE approving City Utilities Purchase Order No. 3243 for the purchase of a trenching machine for Light Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated January 25, 1974, between the City of Fort Wayne. by and through its Mayor and the Board of Public Works, and BREMER'S, INC., for:

1 - Trenching Machine \$6,300.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 3243, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 2-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-27-74 on the 26th day of February, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-21

SPECIAL ORDINANCE NO. S-28-74

AN ORDINANCE amending Special Ordinance No. S-84-73 fixing the salaries of each and every appointive officer, employee, deputy, assistant and departmental and institutional head of the City of Fort Wayne, Indiana, for the year 1974

WHEREAS, City Code states the Building Board Members may be paid compensation at not less than \$150.00 if established by Ordinance; and

WHEREAS, there was no provision in the salary ordinance for 1973 for the payment of \$150.00 to the Building Board Members; and

WHEREAS, the Building Board Members feel they are entitled to \$150.00 for the year 1973.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Special Ordinance No. S-84-73 be amended by adding thereto the following:

16 Building Department Board Members - \$150.00 Annual Salary Each

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt
Date: 3-12-74

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-28-74 on the 12th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

~~Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:~~

~~Ayes: Nine~~

~~Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico~~

~~Nays: None~~

~~Date: 2-26-74~~

Charles W. Westerman
City Clerk

~~Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-27-74, on the 26th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.~~

Charles W. Westerman
City Clerk

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

~~Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of February, 1974, at the hour of 11:00 o'clock A.M., E.S.T.~~

Charles W. Westerman
City Clerk

~~Approved and signed by me this 28th day of February, 1974, at the hour of 10:00 o'clock A.M., E.S.T.~~

Ivan A. Lebamoff
Mayor

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-02-22

GENERAL ORDINANCE NO. G- 02-74

AN ORDINANCE to amend Chapter 1, Section
24 of the Municipal Code of the City of
Fort Wayne

BE IT OBTAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 24 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read as follows:

Sec. 24. Bonds of officers and employees

The City Controller shall give an official bond in the amount of \$50,000.00, the City Treasurer shall give an official bond in the amount of \$100,000.00 and the following officers and employees of the City shall give an official bond in the amount of \$5,000.00 each:

City controller	50,000.00
Deputy controller	5,000.00
Assistant deputy controller	5,000.00
Cashier, Barrett Law Department	5,000.00
Clerks, Barrett Law Department, each	5,000.00
City Attorney	5,000.00
Board of Works, each member	5,000.00
Board of Safety, each member	5,000.00
Marketmaster	5,000.00
Weighmaster	5,000.00

City Clerk	5,000.00
Deputy City Clerk	5,000.00
General Auditor	5,000.00
Disbursement Auditor	5,000.00
Assistant Disbursement Auditor	5,000.00
Chief Cashier	5,000.00
Cashiers A,B,C and D, each	5,000.00
Chief Clerk (general office)	5,000.00
Assistant Chief Clerk	5,000.00

Said bond may be in the form of a blanket bond approved by the Mayor as to elected officers and approved by the Controller as to members of the Board of Safety.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuchols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt
Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-02-74 on the 12th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-08

RESOLUTION NO. R-08-74

A RESOLUTION authorizing payment for
Fire Department Vehicle #23

WHEREAS, Fire Department Vehicle #23 was damaged in an accident on December 5, 1973; and

WHEREAS, settlement in the amount of \$89.32 was made by Rolland D. Minnick and deposited in the General fund under Quietus #4250; and

WHEREAS, Hefner Chevrolet has submitted an estimate in the amount of \$89.32, which sum is the reasonable value of said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$89.32 to Hefner Chevrolet for repairs to said Fire Department Vehicle #23.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses Nuchols, D. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 V. Schmidt

Date: 3-12-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-08-74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-74-03-09

RESOLUTION NO. R-09-74

A RESOLUTION transferring certain
 funds in the 1974 Budget of the
 Office of Emergency Services

WHEREAS, there the State Civil Defense allows the City to pay our Fire Prevention Chief Part-time wages for work he performs in fire prevention activities that directly relate to civil defense programs; and

WHEREAS, The City of Fort Wayne therefore, paid a correspondingly less salary to the Fire Prevention Chief; and

WHEREAS, the salary paid to him through Civil Defense will be matched by the State; and

WHEREAS, to obtain this one-half matching amount the salary must initially be paid through the Office of Emergency Services

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

Account No. 10-740-111 Services Personal - Salaries and Wages Regular

the sum of \$900.00 to

Account No. 10-740-121 Services Personal - Salaries and Wages Temporary.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 V. Schmidt

Date: 3-12-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-09-74 on the 12th day of March, 1974.

Ayes: Eight
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 V. Schmidt

Date: 3-12-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-09-74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-74-03-11

RESOLUTION NO. R-10-74

A RESOLUTION transferring certain funds from
 full time salaries account ~~of~~ part time salaries
 account in the 1974 Budget of the Controller

WHEREAS, the 1974 Budget of the Controller has one vacant position in full-time salaries;
 and

WHEREAS, the need of clerical duties in the Office of the Controller can best be met by hiring part-time employees rather than one full-time employee.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

From Account #10-620-111 Services Personal - Salaries and Wages Regular

The sum of \$6,000.00

To Account #10-620-121 Services Personal - Salaries and Wages Temporary

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses Nuckols, D. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 V. Schmidt

Date: 3-12-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-10-74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R- 74-03-12

RESOLUTION NO. R-11-74

A RESOLUTION transferring certain funds from Account #29-890-262 Contractual Services to Account #29-890-722 Properties in the 1974 Budget of the Parking Meters and Lots

WHEREAS, the Parking Meters and Lots Department are in need of additional equipment for the Parking Control Officers and

WHEREAS, monies in the 1974 budget did not provide for this expenditure; and

WHEREAS, there are sufficient funds in Account #29-890-262 Contractual Services to cover this expenditure.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sum is hereby transferred from the following account:

From Account #29-890-262 Contractual Services

The sum of \$2,000.00

To Account #29-890-722 Properties

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-11-74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-13

RESOLUTION NO. R 12-74 Vetoed by the Mayor

RESOLUTION FOR REIMBURSEMENT TO CITY CLERK
AND CITY COUNCILMEN FROM UTILITIES FUND.

WHEREAS, the City Clerk of the City of Fort Wayne, and each of the City Councilman of the City of Fort Wayne incur additional expense by reason of the City Utilities, being municipally owned and operated, electric light and power, sewerage and water utilities; and

WHEREAS, said additional expense is not all contemplated in or paid of reimbursed by the salary and allowance accounts normally considered and allowed by law; and

WHEREAS, after considerable study it is in the interest of fairness that said City Clerk and said City Councilmen should be additionally compensated to cover their expense incident to the operation of said municipally owned and operated utilities.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Fort Wayne as follows:

(a) The City Clerk of the City of Fort Wayne shall draw as additional allowance the sum of Two Thousand Four Hundred Dollars (\$2,400.00) each year commencing effective January 1, 1974 in equal monthly installments payable once each month;

(b) Each Councilman of the City of Fort Wayne shall draw as additional allowance the sum of Nine Hundred Dollars (\$900.00) each year, commencing effective January 1, 1974 in equal monthly installments payable once each month.

BE IT FURTHER RESOLVED that said above allowances shall be paid by the City Controller of the City of Fort Wayne from the City Utilities Account.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Hinga, Nuckols, D. Schmidt, Stier, Talarico
Nays: Three
Burns, Kraus, Moses
Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-12-74 on the 12th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

BILL NO. Z-72-12-34

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. JJ1, HH1, JJ2, HH2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated an R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. JJ1, HH1, JJ2 and HH2 referred to therein, established by Section 9, Article III of said chapter as amended, are hereby changed accordingly, to-wit:

Tract 2 N $\frac{1}{2}$ of S 375. of W 1441.8 except N 162.75 of W 267.6 of the NE $\frac{1}{4}$ Sec. 7 5.22 A.
 Township Book 30-0011-0002
 Township Book 11.
 1907 Getz Road.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Eugene Kraus Jr.
 Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None

Nays: Eight

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, Talarico

Absent: One

V. Schmidt

Date: 3-12-74

Charles W. Westerman
 City Clerk

BILL NO. Z-73-03-13

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. G9 have said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Vivian G. Schmidt
 William T. Hinga
 Paul M. Burns
 Donald J. Schmidt

Concurred in 3-12-74

Charles W. Westerman
 City Clerk

BILL NO. G-74-02-29

GENERAL ORDINANCE NO. G-03-74

AN ORDINANCE amending General Ordinance
 G-97 by authorizing the vacation of Babson
 Drive, Fort Wayne, Allen County, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a public street having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on January 28, 1974, following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat. 1964 Replacement, Sect. 53-744), the Thoroughfare Plan set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

Babson Drive from the West line of Calhoun Street to the West property line of Lots 333 and 334 in Stellhorn Park Section B in the City of Fort Wayne, County of Allen, State of Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
 Councilman

BILL NO. R-74-03-22

DECLARATORY RESOLUTION NO. R-13-74

WHEREAS, for many years the City of Fort Wayne, Indiana has owned and operated an electric light works; and

WHEREAS, for many months the City of Fort Wayne, Indiana and the Indiana & Michigan Electric Company has submitted a definite proposed contract for the lease of said municipal electric utility, a copy of which definite proposed contract is attached hereto, identified as "Exhibit A" and incorporated as a part hereof.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Common Council of the City shall, and does pursuant to this Resolution submit to the qualified voters of the City such Resolution including the Contract For Lease at a special election which shall be, and is hereby called and shall be held in Fort Wayne, Indiana, on the 7th day of May, 1974, to be held at the same time and in the same polling places as the primary election on that date, all in accordance with the laws of the State of Indiana in such case made and provided.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarcio
Nays: None
Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-13-74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

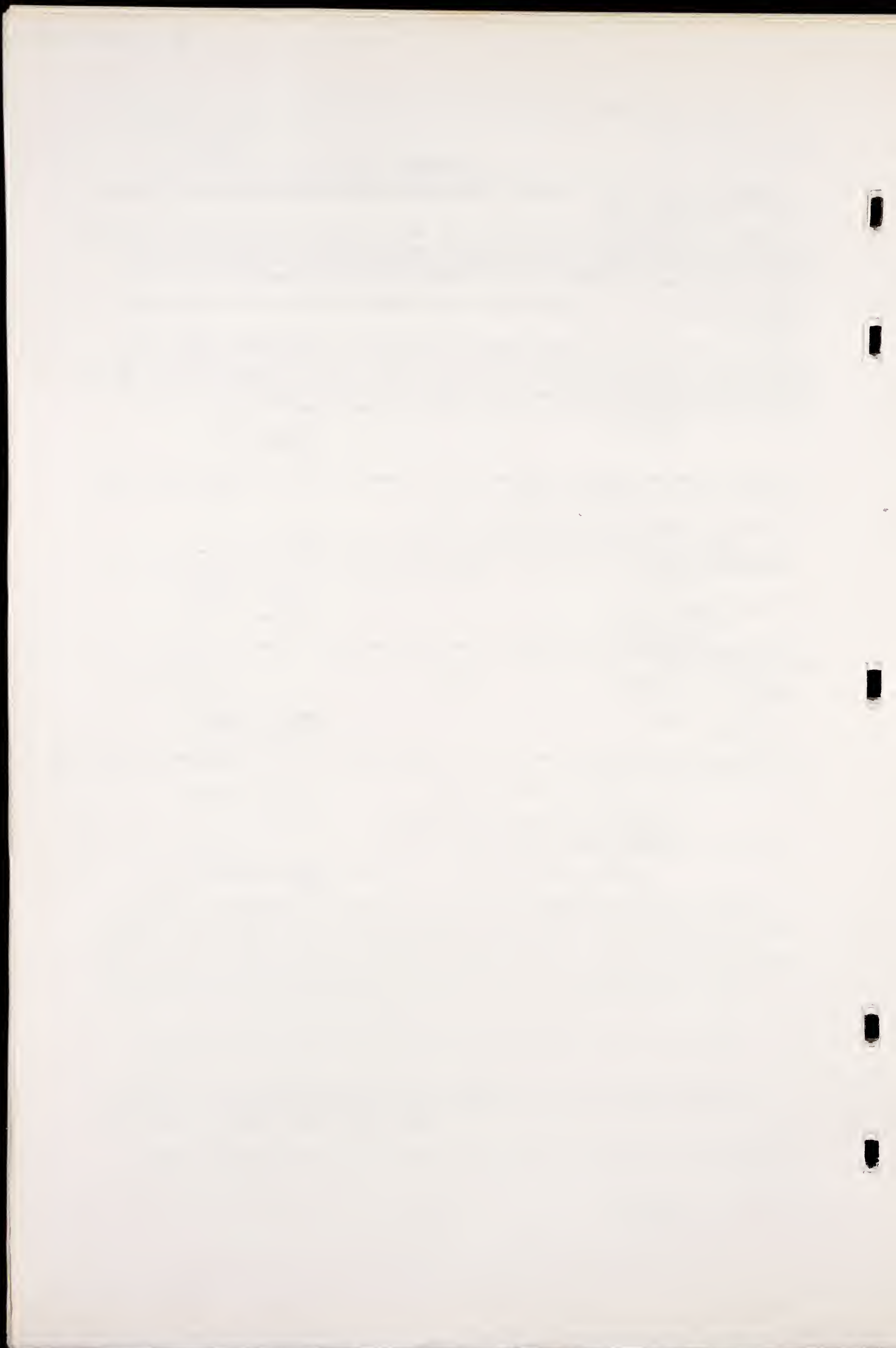
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor



Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None

Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. G-03-74 on the 12th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-02-30

GENERAL ORDINANCE NO. G-04-74

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of a portion of Fleetwood Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Fleetwood Avenue having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on January 28, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Fleetwood Avenue, Fort Wayne, Allen County, Indiana, to-wit:

A portion of Fleetwood Avenue from the south right-of-way line of Senate Avenue, south to the north right-of-way line of Clermont Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor, and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None

Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. G-04-74 on the 12th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarcio
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-02-31

GENERAL ORDINANCE NO. G-05-74

AN ORDINANCE amending General Ordinance
G-97 by authorizing the vacation of certain
lots in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: Petition for the vacation of a certain lots having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on January 28, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

Lots numbered 298, 299, 300, 331, 332, 333, 334, 335, and 336 Stellhorn Park Section B, an addition to the City of Fort Wayne, Allen County, Indiana.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None

Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-05-74 on the 12th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-33

SPECIAL ORDINANCE NO. S-29-74

AN ORDINANCE approving a contract with
John Dehner, Inc. for the construction
of sanitary sewers in Eastland Gardens.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The sewer agreement dated February 12, 1974, between JOHN DEHNER, INC. and the CITY OF FORT WAYNE, by and through its Mayor and the Board of Public Works, for the construction of a sanitary sewer in Eastland Gardens, as follows:

Eastland Gardens Addition, Section "A" and Section "B"

the entire cost and expense to be borne by the property owners through Barrett Law. The Developer agrees to hold the City harmless from any liability for claims connected therewith, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part thereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the sewer main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-29-74 on the 12th day of March, 1974.

ATTEST: (Seal)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-35

SPECIAL ORDINANCE NO. S-30-74

AN ORDINANCE approving a contract with
N.D. "PINK" GRESLEY for mower for
Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated February 11, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and N.D. "PINK" GRESLEY, for:

1- Excell Hillside Hustler Mower
1 - Tilt deck trailer \$8,190.00

as more specifically set forth on CITY UTILITIES PURCHASE ORDER NO. 3426, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One

Date: 3-12-74

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-3--74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M. E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S- 74-02-36

SPECIAL ORDINANCE NO. S-31-74
AN ORDINANCE approving a contract with
T & F CONSTRUCTION COMPANY for installation
of new street lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement approved February 17, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and T & F CONSTRUCTION COMPANY, for the installation of street lighting, as follows:

Installing new street lighting on Fleming and Maple Grove Avenue between Fairfield Avenue and Calhoun Street

for a total cost of \$12,728.86, of installation only, \$5,970.86 to be paid by City and \$6,758.00 to be paid by the property owners, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-31-74 on the 12th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of March, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-21

RESOLUTION NO. R- Lost
A RESOLUTION OPPOSING BUSING IN THE
FORT WAYNE COMMUNITY SCHOOLS TO ACHIEVE EQUAL
EDUCATION OPPORTUNITY.

WHEREAS, evidence shows that education opportunity exists in all Fort Wayne Community Schools; and

WHEREAS, the busing of children from one part of the community to another unnecessarily exposes school children to traffic hazards and endangers the lives of thousands of school children without enhancing the quality of the education they receive; and

WHEREAS, the busing of school children also constitutes an unnecessary waste of gasoline, fuel oil, the needless expenditure of funds for purchase, maintenance, repair and operation of motor buses in the time of an energy shortage.

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Fort Wayne call upon the Congress of the United States to amend the United States Constitution to bar busing of school children to achieve racial balance.

BE IT FURTHER RESOLVED that Fort Wayne Community Schools be officially notified of this Resolution.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by D. Schmidt, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
Burns, D. Schmidt
Nays: One
Nuckols
Abstained: Five
Hinga, Kraus, Moses, Stier, Talarico
Absent: V. Schmidt

Date: 3-12-74

Charles W. Westerman
City Clerk

BILL NO. R-74-03-24

RESOLUTION NO. R-15-74
A RESOLUTION confirming an Approval Order
of the Fort Wayne City Plan Commission
concerning the Neighborhood Development
Program Project (IND. A-14) proposed by
the Fort Wayne Redevelopment Commission
and confirming the Declaratory Resolution
Neighborhood Development Program Project
(IND. A-14)

WHEREAS, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution-Neighborhood Development Program Project (IND. A-14) on March 14, 1974, based on plans filed in the office of said Redevelopment Commission; a copy of which Declaratory Resolution is attached hereto, made a part hereof, and marked "ExhibitA",

WHEREAS, the Plan Commission of the City of Fort Wayne at a meeting on March 18, 1974, adopted and issued a written order approving said Declaratory Resolution and the Urban Renewal Plan referred to therein relative to the said Neighborhood Development Program Project (IND. A-14); a copy of which Approval Order is attached hereto, made a part hereof, and marked "Exhibit B".

WHEREAS, the foregoing actions set forth in Sections 1 and 2 herein of said Redevelopment Commission and said City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953, (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the said actions concerning the Neighborhood Development Program Project (IND. A-14) are hereby approved, ratified, and confirmed.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None

Absent: One
D. Schmidt

Date: 3-19-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-15-74 on the 19th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of March, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-25

RESOLUTION NO. R-16-74

A RESOLUTION approving the Urban Renewal Plan and the feasibility of relocation for Neighborhood Development Program Project (IND. A-14)

WHEREAS, under the provisions of Title I of the Housing Act 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS, it is provided in such Act and in the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana as Amended and Supplemented) that contracts for financial aid thereunder shall require that the Urban Renewal Plans for the respective urban renewal areas comprising the Neighborhood Development Program be approved by the governing body of the locality in which the areas are situated and that such approval include findings by the governing body that (1) the financial aid to be provided in the Contract is necessary to enable the Programs to be undertaken in accordance with the Urban Renewal Plan; (2) the Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the urban renewal areas by private enterprises; (3) the Urban Renewal Plan conforms to a general

plan for the development of the locality as a whole; and (4) the Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan; and

WHEREAS, it is desirable and in the public interest that the City of Fort Wayne, Department of Redevelopment (herein called the "Local Public Agency") undertake and carry out the Neighborhood Development Program (herein called the "Program") identified as "Neighborhood Development Program Project (IND. A-14)" and encompassing the area or areas bounded as follows:

East Central Renewal Area (NDP Area No. 1)

Beginning at a point formed by the intersection of the west right-of-way line of Lafayette Street and the north right-of-way line of Main Street; thence east along the north right-of-way line of Main Street to the Norfolk and Western Railroad track; thence easterly along said track to the east right-of-way line of Coombs Street; thence south along said right-of-way line to the north right-of-way line of Wayne Street; thence east along said right-of-way line to the east right-of-way line of University Street, if extended; thence south along said right-of-way line to the northerly right-of-way line of Maumee Avenue; thence easterly along said right-of-way line of the east right-of-way line of Ohio Street; thence south along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to a point 230 feet more or less west of the west right-of-way line of Chute Street; thence south along a line parallel to Chute Street to the south right-of-way line of Hugh Street; thence west along said right-of-way line to the west right-of-way line of Gay Street; thence north along said right-of-way line to the south right-of-way line of the first alley south of Lewis Street; thence west along said right-of-way line to the west right-of-way line of Lafayette Street; thence north along said right-of-way line to the north right-of-way line of Main Street, which is the point of beginning,

and more specifically bounded by:

East Wayne Street on the north, East Washington Boulevard on the south, Harmar Street on the west, and Comparet Street on the east.

in the City of Fort Wayne, County of Allen, State of Indiana (herein called the "locality";) and,

WHEREAS, the Local Public Agency has applied for financial assistance under such Act and has entered into a Contract with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program; and

WHEREAS, the Local Public Agency has made studies of the location, physical condition of structures; land use; environmental influences, and social, cultural, and economic conditions of the urban renewal area or areas comprising the Program and has determined that the areas are blighted, deteriorated, and deteriorating, and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the Locality at large, because of blight and deterioration to such an extent within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented) and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the Fort Wayne Redevelopment Commission of the Locality (herein called the "Governing Body") for review and approval of an Urban Renewal Plan for the urban renewal area dated March, 1974 and consisting of 17 pages and 18 exhibits for the Program supported by the following supplementary material, data, and recommendations not a part of the Urban Renewal Plan:

WHEREAS, the Urban Renewal Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Urban Renewal Plan which is attached thereto; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the City Plan Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Urban Renewal Plan for the Urban renewal area comprising the Program and has certified that the Urban Renewal Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Program in accordance with the Urban Renewal Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the areas comprising the Program and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced by the Program and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Urban Renewal Plan for the Program in conformity with the Contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I including those prohibiting discrimination because of race, color, creed or national origin;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That it is hereby found and determined that the urban renewal area, comprising the Program is a blighted and deteriorated area and qualifies as an eligible area under Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).
2. That the Urban Renewal Plan for the Program, having been duly reviewed and considered, is hereby approved, and the Executive Director be and is hereby directed to file said copy of the Urban Renewal Plan with the minutes of this meeting.
3. That it is hereby found and determined that where clearance is proposed that the objectives of the Urban Renewal Plan cannot be achieved through rehabilitation of the portions of the urban renewal areas comprising the Program.
4. That it is hereby found and determined that the Urban Renewal Plan for the Program conforms to the general plan of the Locality.
5. That it is hereby found and determined that the financial aid to be provided pursuant to the Contract for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plan for the areas comprising the Program.
6. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.
7. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.
8. That it is hereby found and determined that the program for the proper relocation of individuals and families displaced in carrying out the Urban Renewal Plan is decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such dwellings or dwelling units available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities that the dwellings of the displaced individuals and families in the area comprising the Program are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.
9. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other action and, accordingly, this Body hereby (a) pledges its cooperation

in helping to carry out the Urban Renewal Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan.

10. That financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the areas comprising the Program to be renewed in accordance with the Urban Renewal Plan for the Program, and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 3-19-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-16-74 on the 19th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20th day of March, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-7403-02

SPECIAL ORDINANCE NO. S-32-74

AN ORDINANCE authorizing the issuance and sale of \$2,000,000 Economic Development Revenue Bonds, Series 1974 (Super Value Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Harrison House Realty, Inc. authorizing execution of the lease; the acceptance of a Lease Guaranty Agreement from Super Valu Stores, Inc.; providing for the pledge of revenues for the payment of said bonds; authorizing a mortgage and indenture of trust appropriate for protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities, including engineering, legal fees and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Harrison House Realty, Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Minnesota, qualified to do business within the State of Indiana, and is a wholly owned subsidiary of Super Valu Stores, Inc. (the "Guarantor"), a Delaware corporation; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Harrison House Realty, Inc. of economic development facilities, such lease to be guaranteed by Super Valu Stores, Inc.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public service which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission has upon receiving the report of the Commission, formulated written comments concerning such estimate and has transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the costs of such facilities, the lease, guaranty and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

WHEREAS, pursuant to the Act this Common Council has adopted Resolution No. _____ finding that the proposed financing will be of benefit to the economic welfare of the City, approving the proposed financing and authorizing the issuance by the City of \$2,200,000 principal amount of Economic Development Revenue Bonds, Series 1974 (Super Valu Project) payable solely from the sources, having such terms and provisions and secured as provided by a Mortgage and Indenture of Trust dated as of February 1, 1974 (hereinafter called the "Indenture" between the City and _____ (the "Trustee") and a Lease Agreement dated as of February 1, 1974 (the "Lease") between the City and the Lessee;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Super Value Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound, will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this ordinance (the "Bond Ordinance") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to wit: insufficient employment opportunities and insufficient diversification of industry, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$2,200,000 Economic Development Revenue Bonds. In order to pay a portion of the cost of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$2,200,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Super Valu Project) of the City (the "Series 1974 Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture and that Super Valu Stores, Inc. will guarantee the performance of Harrison House Realty, Inc. under the Lease pursuant to a Lease Guaranty Agreement to the City dated February 1, 1974 (the "Guaranty").

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Indenture, the Lease and the Guaranty, which forms are before this meeting, are hereby incorporated by reference in this Bond Ordinance Council and to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$2,200,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Series 1974 Bonds Shall bear interest at the respective rates set forth in and shall mature on February 1 of each of the years set forth in and in the principal amount set opposite each year, in the following schedule:

Year	Principal Amount	Interest Rate	Year	Principal Amount	Interest Rate
------	---------------------	------------------	------	---------------------	------------------

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as it manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit of taxing power of the City. In case any officer whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided in the Indenture and the Lease. All Additional Bonds shall be of the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds pursuant to and upon the order of the Underwriters named in that certain Underwriting Agreement dated _____, 1974 at a price of _____% of par value, plus accrued interest from February 1, 1974 to the date of sale. The Mayor is hereby authorized to execute, and the Clerk is hereby authorized to attest, such Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Ordinance, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is to form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Ordinance and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Ordinance shall constitute a part thereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease and Guaranty. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council which is hereby approved in all respects; such Lease shall be guaranteed by Super Valu Stores, Inc., and the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Guaranty Agreement, herein identified and called the Guaranty, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease and Guaranty in the forms submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same are the forms of Lease and Guaranty submitted to this Common Council and approved by this Bond Ordinance and identified herein as the Lease and Guaranty, and to keep such Lease and Guaranty on file. Said Lease and Guaranty contain provisions authorized and permitted by the Act.

SECTION 10. Official Statement. In order to complete sale of Series 1974 Bonds to the public, the Mayor or the Clerk shall execute, acknowledge and deliver in the name and on behalf of the City the official statement herein identified and called the Official Statement which is before this meeting with such changes as shall be necessary in order to make the Official Statement accurate and complete; the Clerk is hereby directed to attach a copy hereto of the Preliminary Official Statement in the form submitted to this meeting and hereby approved, and to certify thereon that the same is the form of Official Statement so submitted to this Common Council and approved by this Bond Ordinance; and upon completion and execution of the final form of the Official Statement the Clerk is directed to file a copy of the Official Statement in the records of this Common Council, to certify that the same is the Official Statement on file. The Underwriters are hereby authorized to distribute such Preliminary Official Statement and final

Official Statement in conjunction with the sale and delivery of the Series 1974 Bonds.

SECTION 11. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the Bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 12. General. The Mayor, Clerk, City Controller and City Treasurer be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all things deemed by them, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Ordinance (including the preambles hereto) the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, the Guaranty and the Official Statement, are subject to completion in conformity with this Bond Ordinance. The Mayor and the Clerk, and each of them is hereby authorized to execute and deliver said Indenture, Lease, Guaranty and Official Statement, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interest of the City and in conformance with this Bond Ordinance.

SECTION 13. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Ordinance ratified, and confirmed and incorporated herein.

SECTION 14. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325 the Commission created by Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 15. Effective Date. This Bond Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. W-32-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-03

SPECIAL ORDINANCE NO. S-33-74

AN ORDINANCE approving a certain bid document with BALTIMORE PAINT AND CHEMICAL CORP. for Pavement Marking Material.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Acertain bid document Ref. No. 568 dated February 27, 1974, between the City of Fort Wayne, by and through its Mayor and Traffic Engineering Department and BALTIMORE PAINT AND CHEMICAL CORP., for:

260 Gal. White Reflective Pre-Mix Traffic Paint	\$ 1,073.80
2968 Gal. White High Viscosity Traffic Paint	9,705.36
100 Gal. Yellow Non-Reflective Traffic Paint	390.00
2800 Gal. Yellow High Viscosity Traffic Paint	11,116.00
165 Gal. Tol-U-OL Solvent	325.05
TOTAL	<u>\$22,610.21</u>

as more specifically set forth in said bid document Ref. No. 568 and Purchase Order No. 3-23201-I, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-04

SPECIAL ORDINANCE NO. S-34-74

AN ORDINANCE approving a certain bid document with PREMIER SALES CORPORATION for "U" Channel Sign Posts

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 569 dated February 27, 1974, between the City of Fort Wayne, by and through its Mayor and the Traffic Engineering Department and PREMIER SALES CORPORATION, for

1000 - 3 lb. 12 ft. Posts at \$9.30 -	\$ 9,800.00
1000 - 2 lb. 12 ft. Posts at \$6.40 -	6,400.00
750 - 2 lb. 10 ft. Posts at \$5.40 -	<u>4,050.00</u>

TOTAL \$20,250.00

as more specifically set forth in said bid document Ref. No. 569 and Purchase Order No. 3-23202-I, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-34-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-05

SPECIAL ORDINANCE NO. S-35-74

AN ORDINANCE approving contracts with
W. A. JONES & SON, INC And INTERNATIONAL
HARVESTER CO. for Dump Trucks and Dump
Truck Bodies

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated February 15, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and W. A. JONES & SON, INC. and INTERNATIONAL HARVESTER CO., for

W.A. Jones & Son, Inc.

P. O. No. 3-22845

2 - Dump Bodies for Trucks

\$ 3,392.00

International Harvester Co.

P. O. No. 3-22846

2 - Dump Trucks with trade-ins

\$22,546.50

for a total cost of \$25,938.50, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-35-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-06

SPECIAL ORDINANCE NO. S-38-74

AN ORDINANCE approving a certain bid document with HALL SIGNS, INC. for Aluminum Sign Blanks

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 570 dated February 27, 1974, between the City of Fort Wayne, by and through its Mayor and the Traffic Engineering Department and HALL SIGNS, INC., for:

950 Aluminum Extruded Sign Blanks	\$1,451.50
1800 Aluminum Sign Blanks	\$6,774.90
TOTAL	\$8,226.40

as more specifically set forth in said bid document Ref. No. 570 and Purchase Order No. 3-23203-I which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-38-74 on the 26th day of March, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-07

SPECIAL ORDINANCE NO. S-37-74

AN ORDINANCE approving a certain bid document for mowers for Park Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 572 dated February 26, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and RILEY LAWN AND GOLF EQUIPMENT COMPANY, for:

1 - 1974 (3) Unit Reel Type Riding Greensmower	\$1,700.00
1 - 1974 Seven-gang set of Reel Type Fairway Mower, Jacobsen 7 Gang	\$1,979.20
	<u>\$3,679.20</u>

as more specifically set forth in said bid document Ref. No. 572 and Purchase Order No. 3-23290 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-37-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-36

SPECIAL ORDINANCE NO. S-36-74

AN ORDINANCE of the City of Fort Wayne approving Report of Fort Wayne Development Commission Re: Proposed Loan for the financing of Economic Development Facilities By Patton Electric Company, Inc. and Authorizing the issuance and sale of Revenue Bonds and the loan of proceeds thereof to Patton Electric Company, Inc. for the purpose of Acquiring and constructing certain industrial facilities and other matters relating thereto.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Patton Electric Company, Inc.," and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on March 25, 1974 approving the financing of said industrial facilities as described in said Report to be financed by the loan to Patton Electric Company, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Proposed Form of Loan Agreement with a Note attached, a Trust Indenture and Proposed Form of Ordinance, and finding that the proposed financing complies

with the purposes and provisions of I.C. 1974, 18-6-4; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Patton Electric Company, inc. for the purpose of acquiring and constructing the industrial facilities referred to in the Loan Agreement, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Loan Agreement with the form of the Note attached and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and all of such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4: 5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Patton Electric Company, Inc. Project) in total principal amount of Five Hundred Thousand Dollars (\$500,000) for the purpose of acquiring funds to loan to Patton Electric Company, Inc. so that it may acquire and construct the project (all as more particularly set out in the Loan Agreement and attached Note and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Patton Electric Company, Inc. on its Note or Notes made to the Trustee pursuant to the Loan Agreement and from other sources as provided in the Loan Agreement or as otherwise provided in the above described Indenture of Trust.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 6-3/4% per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Patton Electric Company, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for the delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Patton Electric Company, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-36-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974 at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-03-37 (Amended)

SPECIAL ORDINANCE NO. S-39-74

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$2,200,000 ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 1974 (SUPER VALU PROJECT) OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF ACQUIRING REAL ESTATE, MACHINERY, EQUIPMENT AND RELATED PROPERTY COMPRISING ECONOMIC DEVELOPMENT FACILITIES FOR LEASE AND SALE TO HARRISON HOUSE REALTY, INC.; AUTHORIZING EXECUTION OF THE LEASE; THE ACCEPTANCE OF A LEASE GUARANTY AGREEMENT FROM SUPER VALU STORES, INC.; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING A MORTGAGE AND INDENTURE OF TRUST APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES; AND AUTHORIZING THE SALE OF SAID BONDS.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4. 5-1 through 18-6-4. 5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities, including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Harrison House Realty, Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Minnesota, qualified to do business within the State of Indiana, and is a wholly owned subsidiary of Super Valu Stores, Inc. (the "Guarantor"), a Delaware corporation; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Harrison House Realty, Inc. of economic development facilities, such lease to be guaranteed by Super Valu Stores, Inc.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease, guaranty and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

WHEREAS, pursuant to the Act this Common Council has adopted Resolution No. _____ finding that the proposed financing will be of benefit to the economic welfare of the City, approving the proposed financing and authorizing the issuance by the City of \$2,200,000 principal amount of Economic Development Revenue Bonds, Series 1974 (Super Valu Project) payable solely from the sources, having such terms and provisions and secured as provided by a Mortgage and Indenture of Trust dated as of February 1, 1974 (hereinafter called the "Indenture") between the City and Fort Wayne National Bank (the "Trustee") and a Lease Agreement dated as of February 1, 1974 (the "Lease") between the City and the Lessee;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Super Valu Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound, will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this ordinance (the "Bond Ordinance") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to wit: insufficient employment opportunities and insufficient diversification of industry, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$2,200,000 Economic Development Revenue Bonds. In order to pay a portion of the cost of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$2,200,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Super Valu Project) of the City (the "Series 1974 Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture, and that Super Valu Stores, Inc. will guarantee the performance of Harrison House Realty, Inc. under the Lease pursuant to a Lease Guaranty Agreement to the City dated February 1, 1974 (the "Guaranty").

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Indenture, the Lease and the Guaranty unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease. Indenture and Guaranty, which forms are before this meeting, are hereby directed to insert them into the minutes of the Common Council and to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$2,200,000, provided, however, that additional Bonds may be issued as hereinafter provided.

The Series 1974 Bonds shall bear interest at the respective rates set forth in and shall mature on February 1 of each of the years set forth in and in the principal amount set opposite each year, in the following schedule:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
1979	\$50,000	5.10%	1987	\$ 100,000	5.85%
1980	50,000	5.20%	1988	100,000	5.90%
1981	75,000	5.30%	1989	100,000	5.95%
1982	75,000	5.40%	1990	100,000	6.00%
1983	75,000	5.50%	1991	100,000	6.00%
1984	75,000	5.60%	1992	100,000	6.00%
1985	100,000	5.70%	1999	1,000,000	6 3/8%
1986	100,000	5.80%			

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor

and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided in the Indenture and the Lease. All Additional Bonds shall be of the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds pursuant to and upon the order of the Underwriters named in that certain Underwriting Agreement to be hereafter dated, at a price of 98% of par value, plus accrued interest from February 1, 1974 to the date of sale. The Mayor is hereby authorized to execute, and the Clerk is hereby authorized to attest, such Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Ordinance, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file. The Underwriting Agreement shall be executed in substantially the form submitted to this meeting with such changes as are approved by the officers executing it, their execution to constitute conclusive evidence of such approval.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Ordinance and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Ordinance shall constitute a part thereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease and Guaranty. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; such Lease shall be guaranteed by Super Valu Stores, Inc., and the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Guaranty Agreement, herein identified and called the Guaranty, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease and Guaranty in the forms submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same are the forms of Lease and Guaranty submitted to this Common Council and approved by this Bonds Ordinance and identified herein as the Lease and Guaranty, and to keep such Lease and Guaranty on file. Said Lease and Guaranty contain provisions authorized and permitted by the Act.

SECTION 10. Official Statement. In order to complete sale of the Series 1974 Bonds to the public, the Mayor or the Clerk shall execute, acknowledge and deliver in the name and on behalf of the City the Official Statement; said Official Statement which is before this meeting with such changes as shall be necessary in order to make the Official Statement accurate and complete; the Clerk is hereby directed to attach a copy hereto of the Preliminary Official Statement in the form submitted to this meeting and hereby approved, and to certify thereon that the same is the form of Official Statement so submitted to this Common Council and approved by this Bond Ordinance; and upon completion and execution of the final form of the Official Statement the Clerk is directed to file a copy of the Official Statement in the records of this Common Council, to certify that the same is the Official Statement authorized hereby, and to keep such Official Statement on file. The Underwriters are hereby authorized to distribute such Preliminary Official Statement and final Official Statement in conjunction with the sale and delivery of the Series 1974 Bonds.

SECTION 11. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the Bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 12. General. The Mayor, Clerk, City Controller and City Treasurer be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute and all instruments, perform any and all instruments, perform any and all acts, approve any and all matters, and do any and all things deemed by them, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Ordinance (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, the Guaranty and the Official Statement, are subject to completion in conformity with this Bond Ordinance. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture, Lease, Guaranty and Official Statement, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Ordinance.

SECTION 13. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Ordinance, ratified and confirmed and incorporated herein.

SECTION 14. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, April 23, 1973, and that pursuant to Section 3 of said Act No. 325 the Commission created by Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 15. Internal Revenue Service Election. The City hereby elects to have the provisions of Section 103(c) (6) (D) of the Internal Revenue Code of 1954, as amended apply to the Series 1974 Bonds, and the officers of the City are authorized and directed to take whatever action is necessary to accomplish such result.

SECTION 16. Effective Date. This Bond Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. 39-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-14

RESOLUTION NO. R-18-74

A RESOLUTION OF THE CITY OF FORT WAYNE,
INDIANA APPROVING THE FINANCING BY THE
CITY OF FORT WAYNE, INDIANA OF ECONOMIC
DEVELOPMENT FACILITIES FOR SUPER VALU
STORES, INC. AND ITS WHOLLY OWNED
SUBSIDIARY, GARRISON HOUSE REALTY, INC.

WHEREAS, the Fort Wayne Development Commission (the "Commission") acting pursuant to IC 1971, 18-6-4-1 to 18-6-4-28, inclusive, as amended by IC 1971, 18-6-4. 5-1 to 18-6-4. 5-28, inclusive (the "Act") has (1) adopted a resolution finding that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City of Fort Wayne, Indiana (the "City") would be benefited by the acquisition and leasing to Harrison House Realty, Inc., a wholly owned subsidiary of Super Valu Stores, Inc. of economic development facilities and (2) made a report with respect to such facilities of certain findings and determinations required by the Act; and

WHEREAS, such report has been submitted to the Plan Commission of the City; and

WHEREAS, in response to such report, written comments from said Plan Commission have been filed with the Commission; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease, guaranty and indenture which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

WHEREAS, the City has also caused a notice of a public hearing on the proposed financing to be given by publication on March 7, 1974 in the Fort Wayne Journal Gazette, a daily newspaper published and having a general circulation within said City and has held a public hearing on the proposed financing at the time and place specified in such notice;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. It is hereby found by the Common Council of the City of Fort Wayne, Indiana that the proposed financing by the City for lease to Harrison House Realty, Inc. of economic development facilities described as Exhibits A and B to the hereinafter described Lease and Indenture will be of benefit to the economic welfare of the City, such lease to be guaranteed by Super Valu Stores, Inc.

SECTION 2. That the proposed financing of economic development facilities (consisting of the property described as Exhibits A and B of the hereinafter described Lease and Indenture) by the City of Fort Wayne, Indiana for use by Harrison House Realty, Inc., a subsidiary of Super Valu Stores, Inc., is hereby found to comply with the purposes and provisions of IC 1971, 18-6-4. 5.

SECTION 3. That the proposed financing is hereby approved and the forms of:

(a) the \$2,200,000 Economic Development Revenue Bonds, Series 1974 (Super Valu Project) (the "Series 1974 Bonds") proposed to be issued by the City for the purpose of paying a portion of the cost of acquiring such economic development facilities,

(b) the Lease Agreement dated as of February 1, 1974 whereby the City leases such facilities to Harrison House Realty, Inc.,

(c) the Lease Guaranty Agreement from Super Valu Stores, Inc. to the City whereby Super Valu Stores, Inc. guarantees the performance by Harrison House Realty, Inc. of its obligations under the Lease Agreement,

(d) the Mortgage and Indenture of Trust dated as of February 1, 1974 from the City to Indiana Bank and Trust Company, as Trustee, securing said Series 1974 Bonds,

(e) the Official Statement of the City describing the Series 1974 Bonds and the proposed financing,

(f) the Bond Purchase Agreement pursuant to which the Series 1974 Bonds are to be sold to Goldman, Sachs & Co. (the "Underwriter"), and

(g) the Indemnity Letter from Super Valu Stores, Inc. to the Underwriter and the City, are hereby approved.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-18-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-29

RESOLUTION NO. R-19-74

A RESOLUTION authorizing payment for
repairs to Police Department Vehicle .

WHEREAS, Police Department Vehicle, 1969 Oldsmobile, was damaged in an accident on October 29, 1973 on U.S. #27, and was a total loss; and .

WHEREAS, settlement in the amount of \$600.00 will be used toward the purchase of a new vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to place the sum of \$600.00 into Account #71-7-722E to be used toward the purchase of a new Vehicle.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, Seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-19-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-30

RESOLUTION NO. R-20-74

A RESOLUTION authorizing payment for
repairs to City-owned vehicle.

WHEREAS, City Unit 1000 Dodge Maxivan was damaged in an accident on January 10, 1974; and

WHEREAS, settlement in the amount of \$406.58 was paid by the Federation Mutual Insurance Co., to the Controller's Office, which money was receipted into the General Fund; and

WHEREAS, Summit City Body Shop submitted an estimate in the amount of \$406.58, which sum is the reasonable value of said repairs;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to pay the sum of \$406.58 to Summit City Body Shop for repairs to City Unit 1000 Dodge Maxivan.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-20-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-03-10

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred a Resolution transferring certain funds from Account #10-760-726 Other Equipment to Account #10-760-261 Equipment Rental in the 1974 Budget of the Communication Department have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

William T. Hinga
John Nuckols
James Stier
Winfield Moses, Jr.
Paul M. Burns

Concurred in 3-26-74

Charles W. Westerman
City Clerk

BILL NO. R-74-03-15 (AMENDED)

RESOLUTION NO. R-21-74

A RESOLUTION REQUESTING ACTION BY
CITY PLAN COMMISSION TO AMEND ZONING
ORDINANCE OF THE CITY OF FORT WAYNE.

WHEREAS, The terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana 1946 as amended by General Ordinance No. 2836 and amendments thereof now provides for the establishment of Shopping Centers by means of placement "B-2" of "B-2A" symbols for Regional or Neighborhood Shopping Centers; and

WHEREAS, the use of such procedures involve confusion because of the lack of a definitive area or tract of land being encompassed in said Shopping Center; and

WHEREAS, the present Ordinance of the City of Fort Wayne regarding "B-2" and "B-2A" Regional and Neighborhood Shopping Centers merely requires that the "tract" involved shall be an area of not less than ten (10) acres for a "B-2" Center and shall not be less than (3) acres nor more than (10) acres for a "B-2A" Center, and further only requires that said area lie wholly or partially within fourteen hundred (1400) feet of a point represented by a "B-2" of "B-2A" symbol on the Zoning Map; and

WHEREAS, said present City Ordinance is further confusing in that permits issued by the City Plan Commission requires that "not more than one Improvement Location Permit for Shopping Center District may be issued and outstanding at any one time"; and

WHEREAS, all of that portion of Chapter 36 Municipal Code of the City of Fort Wayne 1946 as amended by General Ordinance No. 2836 adopted January 11, 1955 and subsequent amendments dealing with so called "B-2" and "B-2A" Regional and Neighborhood Shopping Centers should be repealed and in lieu thereof a new Ordinance should be adopted by the City of Fort Wayne repealing said provisions and substituting therefor new District classifications for Regional and Neighborhood Shopping Centers.

NOW, THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Fort Wayne, Indiana direct its efforts to consideration of the repeal of the present "B-2" and "B-2A" Regional and Neighborhood Shopping Center provisions of the Zoning Ordinance of the City of Fort Wayne, Indiana, and to the adoption of necessary zoning legislation pertaining to Shopping Centers.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-21-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-21-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-07-03

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby changed to establish a Mobile Home Park boundary, under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB16, BB18, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

35 acres, being Lot One on the plat representing a survey and Subdivision of that part of Richardville Reserve, situated on the West bank of the St. Mary's River, Township 30 North, Range 12 East, Allen County, Indiana (also known as Siemon's Subdivision), as established by the survey map thereof, as appearing in Deed Record 106, pages 140-141 in the Office of the Recorder of Allen County, Indiana, subject to all legal roads and highways, and,

The South 50 acres of Lot No. 5 in Richardville Reserve, West of the St. Mary's River, in Township 30 North, Range 12 East, Allen County, Indiana, as shown in Deed Record Book 52, pages 54-55 in the Recorder's Office of Allen County, Indiana, and

4.79 acres being part of the North half of the South half of the North half West of the Richardville Reserve line of Section 34, Township 30 North, Range 12 East,

All of the above being more particularly described as follows, to wit:

Beginning at the most Southerly corner of Lot No. 1, Siemon's Subdivision of part of Richardville Reserve West of the St. Mary's River in Township 30 North, Range 12 East, Allen County, Indiana; thence North 33° West, 2,053.6 feet along the Southwesterly line of the aforesaid Richardville Reserve; thence South 87° 40 minutes West, 297.0 feet; thence North 33° West 660.0 feet to the Easterly right of way line of the Baer Field Throughway in said Section, Township and Range; thence North 25° 30 minutes East along said right of way line, 1,252.3 feet; thence South 76° East 1,435 feet; thence South 25° West 831.4 feet; thence South 33° East 1,323.96 feet; thence South 24° 56 minutes West 1,326.6 feet to the place of beginning, containing 89.79 acres of land more or less, subject to all legal roads and highways.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted placed on its passage. LOST by the following vote:

Ayes: One
Moses
Nays: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, B. Schmidt, Stier, Talarico

Date: 3-26-74

Charles W. Westerman
City Clerk

BILL NO. S-74-03-20

SPECIAL ORDINANCE NO. S-40-74

AN ORDINANCE approving Change Order No. 1 of Bowen Engineering covering additional work on Section V of the Large Scale Demonstration of Treatment of Storm-Caused Overflow by Screening Method

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 1 of Bowen Engineering Corporation, approved February 19, 1974 by the City of Fort Wayne by and through its Mayor and the Board of Public Works, for necessary work omitted in the original contract in connection with Section V of the Large Scale Demonstration of Treatment of Storm-Caused Overflow by Screening Method (General Construction Pumping Station), in the amount of \$11,267.50, a copy of which Change Order is attached hereto and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-40-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-12

SPECIAL ORDINANCE NO. S-41-74

AN ORDINANCE approving contracts with
C. D. ARNOLD COMPANY and ALUM-ELEC.
STRUCTURES, INC. for two new substations

BE IT ORDAINED BY THE COMMON COUNCIL OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts approved January 22, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and C. D. ARNOLD COMPANY and ALUM-ELEC. STRUCTURES, INC., for:

C. D. ARNOLD COMPANY - Purchase Order # 3238	
36 SS#PBO 341200 w/al base	5,832.00
6 SS#PBO 34600 w/al base	834.00
60 SS#PBO 151200, w/al base	6,840.00
6 SS#PBO 15600, w/al base	504.00
42 SS#UDAL terminals	504.00
6 SS#UDAL	72.00
150 SS#UK 5666-4 terminals	1,200.00
18 SS#UK AL 4052 2 terminals	72.00
42 SS#SUK 8762, stud conn.	1,023.54
48 SS#SUK, stud conn.	1,169.76
6 SS#SUK stud conn.	146.22
18 SS#TR-10, KV insulators	403.20
18 SS#TR-4, 15 KV insulators	218.70
36 SS#CAFAL-P-27-3 bus support	756.00
48 SS#TCAL-2727, "T" Conn.	1,312.80
22 SSTOOCAL-2750, "T" Conn.	332.42
6 SS#TOOC-2766-SHD "T" Conn.	144.00
12 SS#EAAL-2727, Couplers	362.64
80 SS#1-) A-48-SND, Gr. Conn.	336.00
16 SS#2-OA-48-SND, Gr. Conn.	76.00
16 SS#2-OC-2448-SND, Gr. Conn	160.00
ALUM-ELEC. STRUCTURES, INC. - Purchase Order #3239	
2 Aluminum Substation Structure	8,074.00
2 Aluminum Substation Structure	10,774.00
980' IPS Schedule 40 Tubular Bus	1,500.00
TOTAL	\$42,647.28

all as more particularly set forth on said CITY UTILITY PURCHASE ORDERS, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-41-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-02-34 (AMENDED)

SPECIAL ORDINANCE NO. S-42-74

AN ORDINANCE approving Agreements To
Purchase Real Estate for the Avondale
Substation Expansion

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreements to Purchase Real Estate needed in connection with the Avondale Substation Expansion, dated February 18, 1974, between the City of Fort Wayne by and through its Mayor and the Board of Public Works, as follows:

HELEN C. FOLTZ - For the sum of \$12,000.00

The South 39 feet of Lot Number 7 Edgewood Addition, an
Addition to the City of Fort Wayne, Allen County, Indiana

DANFORD M. McCOMB - For the sum of \$8,000.00

38 feet North of the South 39 feet of Lot Number 7 Edgewood
Addition, an Addition to the City of Fort Wayne, Allen
County, Indiana

ERNIE V. HARMEYER and CAROLINE R. HARMEYER - For the sum of \$6,500.00

The North 38 feet of Lot Number 7 Edgewood Addition, an
Addition to the City of Fort Wayne, Allen County, Indiana

for a total amount of \$26,500.00 cash to be paid as above set forth to each property owner upon the delivery of a good and sufficient Warranty Deed for each of said parcels of real estate, all as more particularly set forth in said Agreements, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 3-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-42-74 on the 26th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-11-32

ZONING ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC10.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Map No. CC10 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Part of Lot numbered 1 in Richardville Reserve, West of the St. Marys River, Fort Wayne, Allen County, Indiana, described as follows, to wit: Beginning at a point located North 49 degrees 06 minutes West 666.6 feet and South 79 degrees 27 minutes West 31.9 feet from the intersection of the center line of the Winchester Road and the Southeasterly line of Lot numbered 1 in Richardville Reserve, thence South 79 degrees 27 minutes West 494.5 feet to the Easterly right-of-way of State Road numbered 1 and 3, thence North 10 degrees 40 minutes West along said Easterly right-of-way 382.7 feet, thence North 79 degrees 20 minutes East 189.4 feet to the Southwesterly right-of-way of Winchester Road, thence South 49 degrees 06 minutes East along said Southwesterly right-of-way 490.4 feet to the place of beginning, containing 3.00 Acres of land more or less.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read for the last time pursuant to the Laws of the State of Indiana and the Municipal Code of the City of Fort Wayne, the Clerk presented the unsigned Bill No. Z-73-11-32 and a motion was made by Kraus and seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Burns, Hinga, Moses, D. Schmidt
Nays: Five
Kraus, Nuckols, V. Schmidt, Stier, Talarico
Date: 3-26-74

Charles W. Westerman
City Clerk

BILL NO. R-74-02-37

RESOLUTION NO. R-Lost

A RESOLUTION CONCERNING WESTFIELD VILLAGE

WHEREAS, the Fort Wayne Housing Authority has at this time voted to vacate, demolish, and level to the ground Westfield Village; and

WHEREAS, the Fort Wayne Housing Authority's planned modernization contained many superfluous items resulting in a 60% cost overrun; and

WHEREAS, adequate modernization could be accomplished at a modest cost per unit; and

WHEREAS, sewer construction to serve Westfield Village is necessary regardless of whether or nor public housing remains there, and when completed will serve a population of 72,310 in a 5,015 acre area; and

WHEREAS, the workable program indicates there are 1,096 applications on file for low income public housing, 528 of which are elderly people, and according to the Fort Wayne Housing Authority only 21 vacancies exist in public housing; and

WHEREAS, nearly two-thirds (2/3) of Westfield Village residents do not meet the requirement for scattered site housing; and

WHEREAS, the vacancy rates in standard low-income housing units in Fort Wayne is practically zero; and

WHEREAS, there is absolutely no place to relocate the residents of Westfield Village in decent safe housing; and

WHEREAS, no relocation money has been allocated or is available; and

WHEREAS, Westfield Village has an excellent location convenient to schools, parks, public transportation, and job sites; and

WHEREAS, the cost of moving the Westfield Village Units is as great or greater than renovation costs; and

WHEREAS, the replacement cost of these 244 units is in excess of One Million Five Hundred Thousand Dollars (\$1,500,000.00), and

WHEREAS, the Common Council of the City of Fort Wayne has shown a commitment to improve Westfield Village by granting Two Hundred Thousand Dollars (\$200,000.00) in revenue sharing funds; and

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, that it favors the retention of Westfield Village as a home for public housing residents, and asks the Fort Wayne Housing Authority not to destroy these homes; said Common Council does not approve of the destruction of \$1,500,000.00 worth of public housing, and if this is done withdraws the \$200,000.00 revenue sharing commitment and asks that it be returned to the General Revenue Sharing Trust Account;

BE IT FURTHER RESOLVED, if the Fort Wayne Housing Authority ignores its created intent to provide low cost housing to persons and families who are otherwise financially unable to provide adequate, decent, safe, and sanitary housing for themselves; and ignores its financial responsibility to the community, then the Common Council of the City of Fort Wayne will not consider the appropriation of any new funds to the Fort Wayne Housing Authority.

Winfield Moses, Jr.
Councilman

Read for the last time Pursuant to the laws of the State of Indiana and the Municipal Code of the City of Fort Wayne, the Clerk presented the unsigned Bill No. R-74-02-37 and a motion was made by Kraus and seconded by Stier, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Four
Burns, Moses, D. Schmidt, Talarico
Nays: Four
Kraus, Nuckols, V. Schmidt, Stier
Abstained: One
Hinga

Date: 3-26-74

Charles W. Westerman
City Clerk

BILL NO. R-74-03-38

RESOLUTION NO. R-22-74

A RESOLUTION ratifying and approving a Consortium Agreement under the Comprehensive Employment and Training Act of 1973.

WHEREAS, it is to the mutual benefit of the communities of Northeastern Indiana and their residents that such communities work together to combat the evils of unemployment, to facilitate the exchange of information concerning job opening; to develop means of training individuals to perform in jobs best suited to their individual qualifications; and otherwise to provide a climate of employment opportunities which will permit the utilization of maximum individual potential while furthering the welfare of the communities involved; and

WHEREAS, the Consortium Agreement provides for the implementation of the programs and policies of the Comprehensive Employment and Training Act of 1973.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

1. The Consortium Agreement is hereby ratified and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Hinga, Kraus, Nuckols, V. Schmidt, Talarico
Nays: None
Absent: Four
Burns, Moses, D. Schmidt, Stier

Date: 3-29-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-22-74 on the 29th day of March, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of March, 1974, at the hour of 12:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of March, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-04-21

RESOLUTION NO. R-27-74

A RESOLUTION OF COMMENDATION TO
FIRE FIGHTER, DONALD ALSPAUGH

On January 19, 1974 a fire was encountered at a residence at 818 Milton Street, Fort Wayne, Indiana. In due course Fort Wayne Fire Department arrived at the scene and it was discovered that the premises were occupied by human beings.

Responding to his duty and with no consideration of his own personal safety, fire fighter, Donald Alspaugh entered said premises extricated and removed therefrom an infant child, Andru Bauer, and under difficult and dangerous circumstances succeeded in removing said child from said premises.

Such conduct displayed on this occasion by fire fighter, Donald Alspaugh, is in the highest bravery and best tradition of the Fort Wayne Fire Department.

BE IT RESOLVED that fire fighter, Donald Alspaugh, be commended by the City Council for his bravery and devotion to duty on this occasion;

BE IT FURTHER RESOLVED that this Resolution be spread upon the record in the Council Journal of the Common Council of the City of Fort Wayne, Indiana as public recognition of a brave and courageous act by fire fighter, Donald Alspaugh, a member of the Fort Wayne Fire Department.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-27-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-20

SPECIAL ORDINANCE NO. S-43-74

AN ORDINANCE authorizing the issuance and sale of \$1,100,000 Economic Development Revenue Bonds Series 1974 (Kunkle Valve Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Kunkle Valve Company, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Kunkle Valve Company, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on April 8, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Kunkle Valve Company, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1974, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Kunkle Valve Company, Inc. for the purpose of acquiring and constructing the industrial facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Kunkle Valve Project) in the total principal amount of One Million One Hundred Thousand Dollars (\$1,100,000.00) for the purpose of acquiring funds to loan to Kunkle Valve Company Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Kunkle Valve Company, Inc. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Kunkle Valve Company, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Kunkle Valve Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-43-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-03-26

SPECIAL ORDINANCE NO. S-44-74

AN ORDINANCE approving a certain bid document with MOELLERING CONSTRUCTION CO., for Pond Improvements for Reservoir Park, Open Space Land Program Part II, Sub-Project A-HUD Open Space Land Project OSC-1008.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 575 dated March 15, 1974, between the City of Fort Wayne, by and through its Mayor and Board of Park Commissioners and Moellering Construction Co., for:

Open Space Land Program-Part II
H.U.D. Project No. OSC-1008
Resolution No. R-41-73

Item 1- Unit Price Contracts
Sub Project A-Pond I Improvements - Reservoir Park
Pond excavating, sidewalk construction and Alternate
No. 2 (Substitution of concrete retaining wall
in lieu of Item 3), sheeting of variable lengths.

\$182,232.00

as more specifically set forth in said bid document ref. no. 575 and Purchase Order No. 3-23572 which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-44-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-03-27

SPECIAL ORDINANCE NO. S-45-74

AN ORDINANCE approving a certain bid document with DUTHLER FORD, INC., for pick-up truck.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Reference No. 571 dated February 26, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and Duthler Ford, Inc., for

1 - 1974 Pick-up Truck \$3609.00

as more specifically set forth in said bid document Reference No. 571 and Purchase Order No. 3-23248, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-45-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-03-28

SPECIAL ORDINANCE NO. S-46-74

AN ORDINANCE approving a certain bid document with CEKA INC. for Demolition.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 576 dated March 11, 1974, between the City of Fort Wayne, by and through its Mayor and Board of Park Commissioners and CEKO INC., for:

Demolition of Structures located on West Central Playground site,
Open Space Project OSC-38 \$4,600.00

as more specifically set forth in said bid document Ref. No. 576 and Purchase Order No. 3-23411 which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-46-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. R-74-04-09

RESOLUTION NO. R-23-74

Resolution authorizing the temporary advancement of funds from the Redevelopment District Capital, Motor Vehicle Highway, Flood Prevention & River Improvement, St. Marys River Impounding, Local Road & Street, Accident Report Account, Inner City Storm Relief Project, Neighborhood Youth Corp, Fire Fighting Fund, Open Space Program funds to the General Fund for the period ending June 30, 1974.

WHEREAS, it has become necessary to borrow money to enhance the depleted fund of General Fund of the City of Fort Wayne, and

WHEREAS, there is sufficient money on deposit to the credit of Redevelopment District Capital, Motor Vehicle Highway, Flood Prevention & River Improvement, St. Marys River Impounding, Local Road & Street, Accident Report Account, Inner City Storm Relief Project, Neighborhood Youth Corp, Fire Fighting Fund, and Open Space Program funds of the City of Fort Wayne which can be temporarily advanced of transferred to said General Fund.

NOW THEREFORE BE IT RESOLVED, that the Controller of the City of Fort Wayne be and is hereby authorized and directed to transfer the sum of \$1,147,000 from the Redevelopment District Capital, \$200,000; Motor Vehicle Highway, \$50,000; Flood Prevention & River Improvement, \$28,000; St Marys River Impounding, \$7,000; Inner City Storm Relief Project, \$325,000; Neighborhood Youth Corp, \$50,000; Fort Wayne Fire Fighting Fund, \$35,000; Open Space Program, \$45,000 funds to the General Fund which said sums shall be returned and repaid to the Redevelopment District Capital, \$200,000; Motor Vehicle Highway,

\$50,000; Flood Prevention & River Improvement, \$28,000; St. Marys River Impounding, \$7,000; Local Road & Street, \$400,000; Accident Report Account, \$7,000; Inner City Storm Relief Project, \$325,000; Neighborhood Youth Corp, \$50,000; Ft. Wayne Fire Fighting Fund, \$35,000; and Open Space Program, \$45,000 funds on or before June 30, 1974.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-23-74 on the 9th day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. R-74-04-10

RESOLUTION NO. R-24-74

A RESOLUTION transferring certain funds
in the 1974 Budget of Human Resources.

WHEREAS, there are insufficient funds in Account No. 10-670-230, Instruction to pay for expenses incurred for the use of tables, chairs and interview booth material for the Veterans Services' City-wide Job Fair; and

WHEREAS, there are sufficient funds in Account No. 10-673-213, Travel Expense to cover said expenditures.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$300.00 is hereby transferred from Account No. 10-673-213 Travel Expense in the 1974 Budget of the Department of Human Resources to Account No. 10-670-230, Instruction in the 1974 Budget of the Department of Human Resources.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-24-74 on the 9th day of April, 1974.

ATTEST: (SEAL)

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. R-74-04-11

RESOLUTION NO. R-25-74

A RESOLUTION authorizing transfer of
money from the General Fund to the
Street Department

WHEREAS, Street Department Unit #206 was damaged on October 19, 1973; and

WHEREAS, Unit #206 was repaired from Street Department Account #880-252 in the amount of \$245.88; and

WHEREAS, settlement was made by Allstate Insurance Company in the amount of \$245.88 and receipted into the General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

1. The City Controller is hereby authorized to transfer the sum of \$245.88 from the General Fund to Account No. 880-252 in the 1974 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-25-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. R-74-04-12 (AMENDED)

RESOLUTION NO. R-26-74

A RESOLUTION reducing certain line items in
the 1974 Civil City Budget

WHEREAS, various reductions of the Civil City Budget for 1974 are necessary due to the action taken by the Allen County Tax Adjustment Board and upheld by the State Tax Commission.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the following accounts are reduced in the following amounts in the 1974 Civil City Budget:

GENERAL FUND

Account No. 10-620-062 PERF	\$ 40,000.00
Account No. 10-660-266 PUBLIC LIGHTING ENERGY	40,000.00
Account No. 10-760-111 COMMUNICATIONS, SERVICES PERSONAL	<u>16,680.00</u>
	\$ 96,680.00

SEWER RELIEF FUND

Account No. 30-2-261 SERVICES CONTRACTUAL	\$400,000.00
---	--------------

REDEVELOPMENT CAPITAL FUND

Account No. 44-871-2-262 CONSULTANT SERVICE	\$ 10,000.00
Account No. 44-871-5-510 INSURANCE	568.00
Account No. 44-871-6-640 RELOCATION PAYMENTS	898,000.00
Account No. 44-871-6-650 SITE IMPROVEMENT	2,214,000.00
Account No. 44-871-7-730 LAND	2,418,000.00

T O T A L	\$6,037,248.00
-----------	----------------

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-26-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. Z-73-06-11

ZONING MAP ORDINANCE NO. Z-03-74

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. B-17.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BlB district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance no. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B-17, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Beginning at a point on the West line of Section 24, Township 31 North, Range 12 East, in said County and State and 1510.5 feet North of the West Quarter corner of said Section 24; thence North 89 degrees 58 minutes East a distance of 290.4 feet to an iron pin; thence South 0 degrees 00 minutes west a Distance of 400.0 feet to an iron pin; thence South 89 degrees, 58 minutes West a distance of 290.4 feet to a hole in the centerline of the concrete pavement (U.S. No. 27): thence North 0 degrees 00 minutes East a distance

of 400.0 feet to the place of beginning; and containing 2 2/3 acres, more or less. Generally located on the east side of Coldwater Road, south of Washington Center Place addition, and west of Northcrest Addition containing approximately 2 2/3 acres of ground.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance Z-03-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. Z-73-12-10

ZONING MAP ORDINANCE NO. Z-04-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. FF1 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Lot Number 18 of Edsall's Subdivision of LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana, by metes and bounds described as follows, to-wit:

Commencing on the east line of said lot at a point 99.4 feet north of its intersection by the North line, produced eastward, of Lot Number 1 of Washington Place Addition as recorded in Plat Book 15, page 134, in the office of the Recorder of said County; thence north on the east line of said Lot Number 18, a distance of 204.07 feet to the point of its intersection by the center line of the public highway known as the Upper Huntington Road; thence southwesterly on the center line of said highway, 287.0 feet; thence south and parallel to the east line of said Lot Number 18 a distance of 140 feet; thence northeasterly to the point of beginning; subject to the part thereof occupied by the U.S. Highway #24 and also subject to a five(5) foot easement along the west line of said described tract for the purpose of utility lines above ground and sewer for drainage.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: One
V. Schmidt

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-04-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. Z-73-12-12

ZONING MAP ORDINANCE NO. Z-05-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A12 & AA12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A12 & AA12 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Southwest Quarter of the Northeast Quarter of Section 26, Township 30 North, Range 12 East, Allen County, Indiana, more particularly described as follows, to-wit: Beginning on the North line, said North line being also the South line of Hollis Lane (25 feet in width) of the Southwest Quarter of the Northeast Quarter of said Section 26 at a point situated 25.0 feet East of the Northwest corner of said Southwest Quarter; thence Easterly, along said North line, 25.0 feet; thence Southerly, by an interior angle of 91°-29' and parallel with the North-South half section line of said section, 155.3 feet; thence Easterly by and interior angle of 268°-31', and parallel with said North line, 38.7 feet; thence Southerly, by an interior angle of 91°-29' and parallel with said North-South line, 353.3 (Recorded 354.7') feet to the Northline of Lincolnshire Addition; thence westerly, by an interior angle of 88°-17' and along said North line, 88.7 feet to said North-South half section line; thence Northerly, by an interior angle of 91°43' and along said North-South line, 352.9 (Recorded 354.7') feet; thence Easterly, by an interior angle of 88°-31' and parallel with the North line of said Southwest Quarter 25.0 feet; thence Northerly, by and parallel with said North-South line, 155.3 feet to the point of beginning, containing 0.808 acres of land and being subject to a 25' wide R/W along and contiguous to the North line thereof. ALSO, part of the South one-half of the Northwest Quarter of Section 26, Township 30 North, Range 12 East, being more particularly described as follows; Commencing at a point on the east line of the south One-half of the Northwest Quarter of Section 26, Township 30 North, Range 12 East, 105.3 feet south of the Northeast corner of the South One-half of said quarter section; thence continuing south along the east line of the South One-half of said quarter section, a distance of 403.0 feet; thence southwesterly with an interior angle of 91 degrees 31 minutes to the last described line a distance of 149.4 feet to the center line of Fairfield Avenue; thence Northwesterly, following the center line of Fairfield Avenue, with an interior angle of 95 degrees zero minutes to the last described line a distance of 398.6 feet; thence northeasterly with an interior angle of 84 degrees 58 minutes to the last described line a distance of 189.0 feet to the point of beginning, containing 1.56 acres of land, more or less, subject to an easement for road. EXCEPT the following

described tract: Beginning on the East line of Fairfield Avenue at a point situated 114.83 feet Southeasterly from the intersection of said East line with the North line of the South half of the Northwest Quarter of said Section; thence Southeasterly, along said East line, 50.16 feet; thence Easterly by an interior angle of $94^{\circ}37'$, a distance of 159.3 feet to the North-South half section line; thence Northerly, by an interior angle of $91^{\circ}-28'$ and along said North-South line, 50.0 feet; thence Westerly, by an interior angle of $88^{\circ}-32'$, a distance of 164.6 feet to the point of beginning, containing 0.186 acres of land.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Kraus

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-05-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. Z-74-01-10

ZONING ORDINANCE NO. Z-06-74

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. GG3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Map No. GG3 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

A part of the Southwest Quarter of Section 5, Township 30 North, Range 12 East, In Allen County, Indiana, it also being a part of the Northwest Quarter of Lagro Reserve Section in Township 30 North, Range 12 East, in Allen County, Indiana, and being more particularly described as follows to-wit: Beginning at the Southwest corner of the aforesaid Section 5, Township 30 North, Range 12 East, said point being under the pavement of the Illinois Road; thence North along the West line of said Section 5, said line making an interior angle of 90 degrees and 6 minutes with the South line of the tract hereinafter described, a distance of 2639 feet to a stone at the West Quarter corner of the said Section 5; thence East along the East and West centerline of said Section 5 by an interior angle of 89 degrees and 52 minutes a distance of 357.6 feet to a stone on the south right-of-way line of the Pennsylvania Railroad; thence Southeasterly along the said right-of-way line of the Pennsylvania Railroad by an interior angle of 161 degrees and 40 minutes a distance of 146.37 feet to an iron pin and stake in the aforesaid South right-of-way line of the Pennsylvania Railroad;

thence South on a line parallel to the aforementioned West line of Section 5 by an interior angle of 108 degrees and 28 minutes a distance of 2592.67 feet to the South line of Section 5, said line being the centerline of the Illinois Road; thence West along the South line of Section 5 by an interior angle of 89 degrees and 54 minutes a distance of 496.43 feet to the point of beginning, containing 30 acres of land

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Talarico
Nays: Two
V. Schmidt, Stier

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-06-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. G-74-03-23

GENERAL ORDINANCE NO. G-06-74

AN ORDINANCE amending Section 12 of Article I of Chapter 28 of the Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953.

SECTION 1. Chapter 28 of the Municipal Code of the City of Fort Wayne, Section 12 of Article 1 is hereby amended to read as follows:

Section 12 (A) CONSTRUCTION OF DRIVEWAY ENTRANCES AND APPROACHES

These regulations shall apply to all classes designated in Subsection (C) and shall be entitled Access Permit Rules.

B) DEFINITIONS For the purpose of these regulations the following definitions shall apply:

1) Driveway: Every way or place not on the right-of-way of any public street or alley and which is used for vehicular traffic.

2) Approach: A place improved for vehicular or pedestrian traffic on street right-of-way which connects the edge of pavement of a public street with a driveway, or pedestrian walkway.

3) Entrance: The point of connection of an approach with the traveled portion of a public street.

4) Median: The portion of a divided highway separating the traveled ways for traffic in opposite directions.

5) Traveled Way: The portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

6) Median Opening (Crossover): A gap in the median provided and designated for crossing and turning traffic.

7) Auxiliary Lane: The Portion of the roadway, adjoining the traveled way for parking, speed change, turning, storage for turning, weaving, truck climbing or for other purposes.

8) Access Point: The point of connection of a driveway at the right-of-way line of the street with the approach.

9) Single Family Residence Access: An entrance and an approach which connects a City street with a driveway to a residence, barn, private garage, or other improved property and ordinarily used by the owner or occupant of the premises, his guests and necessary service vehicles.

9-b) Commercial Access: An entrance and an approach which connects a City street with a driveway to private property used for multiple family, commercial, industrial, schools, churches, and other similar uses which will ordinarily carry a heavy traffic movement.

9-c) Field Access: An entrance and an approach which connects a City street or road with vacant lots, fields or other unimproved property.

C) CLASSES. All entrances and approaches shall be divided into five classes as follows:

CLASS I	Single Family Residence Access - raised curb used.
CLASS II	Single Family Residence Access - shoulder only, no raised curb.
CLASS III	Commercial Access - raised curb used.
CLASS IV	Commercial Access - shoulder only, no raised curbs.
CLASS V	Field Access - either raised curb or shoulder only.

Crossovers shall be classified in accordance with current Access Standards Manual.

D) APPLICATION - FORMS REQUIRED and FEE

1) Application - Form Required: Application to the Right-of-Way Permit Department, Room 880, City-County Building, for permits to construct any entrance, driveway or approach connecting with any City street, alley, or to cut any curb along said street or to construct a crossover on said street shall be made on the form as prescribed by the Board of Public Works.

2) Application Fee: There shall be an application fee submitted with each application in the following amounts:

1) <u>RESIDENTIAL</u> (Class I, II, or V Access)	\$ 10.00 Each Entrance
2) <u>COMMERCIAL</u> (Class III, IV or V Access) (Without Taper or Passing Lanes)	\$100.00 Each Entrance
3) <u>COMMERCIAL</u> (Class III, IV or V Access) (With Taper or Passing Lanes)	\$200.00 Each Entrance

Such application fees represent a processing charge and are non-refundable.

E) NEW APPLICATION - WHEN REQUIRED: A new application shall be required for the construction, remodeling, alteration, or relocating of an entrance approach, driveway or cross-over. Any change in the character and entrance of the land use of the real estate, no matter how slight, shall be reviewed to determine if any alteration, relocation, or remodeling of the existing entrance, approach(s), driveway(s), or cross-over(s) or new construction is required. In the event it is determined that relocation, alteration, or modification of the existing entrance approach(s), driveway(s) or cross-over(s), or new construction is required; a new application shall be governed by the same rules and judged by the same standards as an application for a permit for a wholly new entrance approach, driveway and/or cross-over.

F) APPLICATION - PERSONS MAKING - DISCLOSURE: All applications for permits under these regulations shall be made in the name of the owner of the fee simple title. All persons having any interest in the land, including but not limited to mortgagees, leasees, optionors, lien holders, and encumbrances shall join with the fee simple holder in the application. All such persons shall in the application sign and consent to the conditions of the application and shall be bound equally thereafter by the conditions of any permit which may be issued to any permittee. Title evidence, in the form of a certified search covering period of 20 years, shall be furnished to support the signatures for driveway permit applications in the following areas:

1) All commercial access applications except those applications involving an EXISTING ACCESS WITH NO PROPOSED CHANGE IN ACCESS, USE OR CHARACTER.

2) Private access or field access in areas covered by limited access resolutions.

All other title evidence will be at the discretion of the Board of Public Works.

If the applicant submits an application which his title evidence does not include the signatures of all interest holders, then if the application is evaluated in favor of granting the permit, the applicant must submit subsequent title evidence showing that all omitted interest holders have ceased to be interest holders or have by an addendum to the application joined the original applicant on the original application and such subsequent title evidence or addendum must be submitted before any authorization for construction under the permit shall begin.

G) APPLICATION - PURPOSE OF ACCESS DISCLOSURE OF INTENDED USE FOR OR WITH ADJACENT PARCELS: All applications for permits shall disclose the present and proposed use of the parcel for which access is requested. Any intended use of the access in conjunction with any adjacent parcel, whether owned by applicants or by others, or to be purchased or sold by the applicant or others, shall be disclosed in the application, all adjacent parcels owned or controlled by the applicants whether intended to be used in conjunction with the requested access shall be disclosed in the application. These disclosures are required to ensure the public a safe and convenient means of travel consistent with the right of the adjoining landowner to have access as provided by law.

H) APPLICATION - DRAWINGS AND INFORMATION REQUIRED: All application for permits under these regulations shall be accompanied by clear drawings. One (1) drawing to accompany each application form. Information to be shown on drawings shall include the following as applicable:

- 1) Driveway and approaches
- 2) A legal description of the property to be served by the permit together with a legal description of the adjoining land owned or controlled by the applicant.
- 3) Right-of-Way lines and property lines.
- 4) Site plan showing parking, interior drives, buildings, etc.
- 5) Distance to intersecting roads, streets, railways, or crossovers within five hundred (500) feet.
- 6) Width of right-of-way
- 7) Width and type of road surface.
- 8) Necessary and existing pipe, tile, or other drains stating size and kind.
- 9) Distance from right-of-way line to gasoline pumps.
- 10) Type of surface and construction (base, surface, etc.) of driveways.
- 11) Type of surface and construction (base, surface, etc.) of approaches
- 12) Proposed turning radii.
- 13) Proposed treatment of right-of-way adjacent to and between approaches.
- 14) Rate of slope or grade of approaches and driveways.
- 15) Show distance to and design of next drives on both sides of street (both directions) if within five hundred (500) feet.
- 16) All adjacent parcels owned or controlled by the applicant and whether the same are intended for use with access requested or not.
- 17) All parcels intended for use with requested access.
- 18) Resolution (59-80-11) effective December 7, 1972 -- All driveway approaches shall have a two inch conduit placed one foot from the inside sidewalk edge, length of which shall be the width of the driveway plus two feet on each side.

I) APPLICATION - STANDARDS: All construction and material used within the street right-of-way must conform to the City of Fort Wayne "Standard Specifications" which shall be kept on file in the Right-of-way Permit Engineer's Office.

J) APPLICATION - DESIGNS: All applications shall be filed in accordance with the Driveway Access Standards Manual Requirements of the City of Fort Wayne. The permittee agrees to make the improvements in accordance with such standards, specifications, and design requirements of the City of Fort Wayne.

K) APPLICATION - COMMERCIAL - ENGINEER'S ATTESTATION: All applications for commercial purposes shall be signed by a registered professional engineer, and/or registered land surveyor, attesting that the applications as proposed, conform with all City of Fort Wayne rules and standards, except as he shall note in such attestation.

L) COMPLIANCE - OTHER LAWS: Approval of a permit application shall be subject to the permittee obtaining all necessary approvals involving land use from the Zoning Board and/or Plan Commission having jurisdiction and local authorities and complying with all applicable laws. The issuance of any permit shall in no way imply Board of Works approval of, or be intended to influence any action pending before any local board or commission.

M) BOND REQUIRED: The City of Fort Wayne shall require a Permit Bond and liability insurance to be filed along with each application to do any type of construction work within the right-of-way.

- 1) Contractors:
 - a) Permit Bond
Minimum - \$5,000
 - b) Liability Insurance
Minimum - \$50,000
- 2) Private Property Owners:
 - a) Permit Bond
Minimum - \$1,000 (Single Address)
 - b) Liability Insurance
Minimum - a rider to the Homeowner's Policy naming the City of Fort Wayne as additional insured.

Such bonds are required to insure compliance with all terms of the permit and shall in the case of noncompliance, provide in addition to any damages suffered thereby, all witness and court costs in collecting the same, together with any attorney's fees reasonably be, and shall be released only when the work described on the permit has been completed to the satisfaction of the Right-Of-Way Permit Engineer or his representative.

This bond is required for a period of one year, and shall be considered as continuous bond. This bond and liability insurance must be on file in the Right-Of-Way Permit Department before any R/W permits will be issued.

The proper bond forms may be obtained from the Right-Of-Way Permit Department, Room 880, City/County Building.

N) MEDIAN OPENINGS (cross-overs) - LOCATION: Permits for private or commercial crossovers will not be approved unless the distance to the nearest existing crossover is in accordance with the Access Standards Manual, unless the applicant can prove to the satisfaction of the Board of Public Works that the location of the crossover will not be detrimental to the safety of the traveling public.

O) LOCATION - TAPER - CONTINUOUS LANE: When the taper of a proposed driveway approach will create, because of the addition of said taper and its proximity to an adjacent similar taper, hazardous and erratic traffic movements; the entire area between said tapers must be paved thus forming a continuous full lane between the approaches of which said tapers are a part.

P) LOCATION - VISIBILITY: All entrances and approaches shall be located so as to provide adequate sight distance in both directions along the street for safe access to the street without interfering with traffic.

Q) LOCATION - TRAFFIC DEVICES: No entrance or approach shall be located or constructed so as to interfere with or prevent the proper location of necessary street signs or other traffic control devices.

R) LOCATION - PROPERTY LINE: No approach radii shall be so constructed that any part of the same extends in front of property belonging to persons other than the permittee unless both property owners sign a joint application for a permit.

S) DRAINAGE REQUIREMENTS: All improvements authorized by the permit shall not interfere with drainage of the street or right-of-way, nor cause additional area to drain onto the right-of-way, nor shall they be constructed so as to cause drainage on to the roadway.

All drainage pipes or tile used in the construction of driveways and approaches, shall be a MINIMUM OF TWELVE (12) INCHES IN DIAMETER and as much larger as the Department shall deem necessary for proper drainage, and all new driveways and approaches shall be furnished by the permittee, all pipe or tile and other drainage structures used shall meet the approval of the Department as to type quality, size and length.

T) PERMIT - FOR CONSTRUCTION: Upon receipt of such permit, the permittee is authorized to proceed with the work covered by it, subject to the conditions imposed by the board of Public Works and these rules. If the application is approved with conditions, or special provisions, all of the signatures to the original application should indicate their consent to the conditions, or special provisions in writing.

U) FINAL PERMIT - INSPECTION: A final approval of the permit shall be issued upon completion of construction: provided, however, that no approval will be issued until the work covered by the permit to construct is inspected and found to be in accordance with the plans and specifications file in the application as amended by the Engineering Departments, together with any special conditions noted therein, and approved by the Board of Public Works.

V) PERMIT - RECORDING: The permit clerk of the Right-Of-Way Permit Engineering Office shall upon receiving the approved permit signed by the Board of Public Works, enter same into the general ledger of the Right-Of-Way Permit Engineering Office, together with the cost of processing said permit. Upon completion of construction and final inspection, the date of acceptance shall also be entered into the general ledger.

W) PERMIT - NOTIFICATION OF BEGINNING WORK WHEN EFFECTIVE: Before beginning work under any permit to construct, the permittee shall notify the Right-Of-Way Permit Office a minimum of 24 hours prior to start of work, and again two (2) hours prior to pouring concrete.

X) PERMIT - DISPLAY: The applicant's permit complete with drawings and special provisions shall be on the job site at all times so that it can be shown, if requested.

Y) PERMIT - VALIDITY - COMPLETION OF CONSTRUCTION: All improvements authorized by a permit must be completed within one (1) year after the permit is issued; otherwise, the permit will be cancelled unless an extension is requested, in writing, by the applicant, and said request is approved by the Board of Public Works. However, all construction authorized by the permit ~~is issued, otherwise, the permit will be cancelled unless an extension is requested, in writing, by the applicant, and said request is approved by the Board of Public Works.~~ However, all construction authorized by the permit on the right-of-way must be completed within thirty (30) days after starting said construction, unless otherwise expressly approved as a special condition.

Z) PERMIT - LIABILITY DURING CONSTRUCTION: The permittee shall assume all responsibility (during the time from the beginning of the work covered by any permit until final approval of the work), and shall furthermore be obligated to save harmless the City of Fort Wayne for any and all injury, loss or damage occasioned to or by persons or property resulting directly or indirectly from such work; the Board of Public Works shall require the permittee to provide liability and indemnity insurance as described by subsection "M".

AA) PERMIT - CONSTRUCTION NOT TO INTERFERE WITH STRUCTURE IN RIGHT-OF-WAY: The construction of all improvements authorized by the permit shall not interfere with any existing structure on any City of Fort Wayne right-of-way without specific permission in writing from the Board of Public Works or other owner thereof. Any structure or traffic control device affected by the proposed construction shall be relocated at the applicant's expense as directed.

BB) PERMIT - ENFORCEMENT OF UNLAWFUL SIGNS: The permittee shall not erect or maintain any advertising sign on or over the right-of-way or any portion thereof in violation of any law.

CC) PERMIT - EXISTING ACCESS - SUBJECT TO NEW RULES: Any person who by law, has an existing legal right of access to a City of Fort Wayne street, shall if he desires to improve, relocate, alter or remodel the same, or if he has applied for and been issued final approval of a permit under said Ordinance if he desires to make any change in the character of the use of such rights of access, then existing or granted thereafter with respect to such real estate shall be subject to these rules as the same may from time to time be amended by the Board of Public Works.

DD) SEVERABILITY: If any provision of said Ordinance or the application thereof to any person or circumstances is valid, such invalidity shall not affect the other provisions or applications of these rules which can be given effect without the invalid provision, or application, and to this end, the provisions of said ordinance are declared to be severable.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Hinga, Kraus, Nuckols, V. Schmidt, Stier
Nays: Four
Burns, Moses, D. Schmidt, Talarico

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-06-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. Z-71-12-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. B-13 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 4-9-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-06-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. CC13, DD13 have ^{had} said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns

Concurred in 4-9-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-11-34

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance Amending the City of Fort Wayne Zoning Map No. JJ2. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 4-9-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-11-35

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. FF11 and FF13 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 4-9-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-02-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. FF13. have had said Ordinance under consideration an beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 4-9-74

Charles W. Westerman
City Clerk

BILL NO. S-74-03-31

SPECIAL ORDINANCE NO. S-47-74

AN ORDINANCE approving a Lease with Mandel E. & Judith C. Himmelstein for property at the Southwest corner of Pontiac & Calhoun.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Lease dated March 14, 1974, between the City of Fort Wayne by and through its Mayor and the Board of Public Works, and Himmelstein for the unimproved real property located at the southwest corner of Pontiac and Calhoun Streets, commonly known as 2702 South Calhoun Street to be used for any lawful purpose consistent with existing zoning ordinances and normative commercial usage of the area in which the property is located for a cost of \$350.00 per month, plus taxes of approximately \$2,300.00 per year and any other related expenses all as more particularly set forth in said Lease which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-47-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-03-32

SPECIAL ORDINANCE NO. S-48-74

AN ORDINANCE approving a certain bid document with CENTRAL SUPPLY CO. for replacement parts for inventory for Water Construction Department.

SECTION 1. A certain bid document Ref. No. 333, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, Water Construction and CENTRAL SUPPLY CO., for:

100 1" Meter Connectors Model #J-134	\$ 146.00
18 2" Corporation Stops Model #J-1500	452.34
50 1" 3 Part Union Couplings Model #J-1528	133.50
850 3/4" New Ball Type Curb Stop w/1/4" Turn, Jones	5457.00
60 1" New Ball Type Curb Stop w/1/4" Turn, Jones	469.80
40 1 1/2" Gate Valves, Model #J-375 w/Ever Du Stems	675.20
50 2" Gate Valves Model #J-375 w/Ever Due Stems	1266.00
	<u>\$8599.84</u>

as more specifically set forth in said bid document Ref. No. 333 and City Utilities Purchase Order No. 3758 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-48-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-03-33

SPECIAL ORDINANCE NO. S-49-74

AN ORDINANCE approving City Utilities Purchase Orders for the purchase of materials to be used in Construction of two new substations.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. City Utilities Purchase Order Nos. 3541, 3681, 3715, 3737, 3738, 3071, 3714, 3716, 3717, 3720, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works as follows:

#3541	Westinghouse Electric Supply Co.	\$21,900.00
#3681	Griffin Electric	28,803.04
#3715	Huguenard Corporation	8,987.00
#3737	United States Steel	41,552.40
#3738	Griffin Electric	4,390.72
#3071	General Electric Co.	42,500.00
#3714	Exide Power Systems Division	6,772.22
#3716	General Electric Co.	11,734.14
#3717	G & W Electric Specialty Co.	4,613.20
#3720	R. G. Haley & Co., Inc.	20,325.00
		<u>\$191,517.72</u>

as more specifically set forth on said purchase orders, which are on file in the office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-49-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. G-74-03-34

REPORT OF THE COMMITTEE ON COMMITTEE OF THE WHOLE

We, your Committee on Committee of the Whole to whom was referred an Ordinance PROHIBITING THE DISTRIBUTION OR EXHIBITION OF OBSCENE MATTERS OR PERFORMANCES. have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

Eugene Kraus, Jr.
Vivian G. Schmidt
Donald J. Schmidt
William T. Hinga
Paul M. Burns
Samuel J. Talarico

Concurred in 4-9-74

Charles W. Westerman
City Clerk

BILL NO. G-74-03-35

GENERAL ORDINANCE NO. G-07-74

AN ORDINANCE prohibiting the Distribution
or exhibition of Obscene Matter of Performances

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Obscene Matters and Performances

For purpose of this Ordinance:

(a) "Matter" means any book, magazine, newspaper, or printed or written material or any picture, drawing, photograph, motion picture, or other pictorial representation or any statue or other figure, or any recording, transcription, or mechanical, chemical or electrical reproduction or any other articles, equipment, machines or materials.

(b) "Performance" means any play, motion picture, dance or other exhibition or presentation, whether pictured, animated or live, performed before an audience of one or more persons.

(c) Any matter or performance is obscene if: (i) the average person, applying contemporary community standards, finds that the matter of performance taken as a whole, appeals to the prurient interest, and (ii) the matter of performance depicts or describes in a patently offensive way, sexual conduct normal or perverted actual or simulated, and (iii) the matter or performance taken as a whole, lacks serious literary, artistic, political or scientific value.

(d) "Sexual conduct" means acts of masturbation, excretory functions, lewd exhibition of the genitals, sadomasochistic abuse, homosexuality, lesbianism, bestiality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast or breasts of a female for the purpose of sexual stimulation, gratification, or perversion.

(e) "Sado-masochistic abuse" means flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

(f) "Person" means any individual, partnership, firm, association, corporation or other legal entity.

(g) "Distribute" means to transfer possession of, whether with or without consideration.

(h) "Knowingly" means knowing or having good reason to know or having such constructive knowledge as would constitute knowing, the character of the matter or performance.

(i) "Owner" means any person who owns or has legal right to possession of any matter.

(j) "City" means City of Fort Wayne, Indiana.

SECTION 2. Every person who knowingly sends or causes to be sent, or brings or causes to be brought, into the City for sale or distribution, or in this City possesses, prepares, publishes or or prints, with intent to distribute or to exhibit to another, or who offers to distribute, distributes, or exhibits to another any obscene matter is guilty of a misdemeanor.

SECTION 3. Every person who knowingly engages or participates in, manages, produces, sponsors, presents or exhibits any obscene performance is guilty of a misdemeanor.

SECTION 4. Defenses. It shall be an affirmative defense to a prosecution under this Ordinance for the defendant to show:

(a) That the act was done for legitimate scientific or educational purposes;

SECTION 5. Where the subject matter is offered for distribution to the public as stock in trade or a lawful business or activity, or as in the case of films, is exhibited at a commercial theater showing regularly scheduled performance to the general public, no person shall be arrested for a violation of any of the provisions of the Ordinance unless the arresting officer shall have first obtained an arrest warrant, and no property shall be seized as evidence unless a search warrant shall have first been obtained pursuant to the provisions of this chapter; Provided, however, that the quantity of matter seized shall encompass no more than is reasonable and necessary for the purpose of obtaining evidence.

SECTION 6. At any time after seizure, or the obtaining of evidence by purchase, and prior to arrest, the City, defendant, owner, or other party in interest of any matter seized or purchased, may apply for and obtain a prompt adversary hearing for the purpose of obtaining a preliminary determination of obscenity. Said hearing for preliminary determination of obscenity is to be held promptly and without the intervention of a jury, said restriction applying only to the preliminary determination and in no way affecting the defendant's right to a jury trial. If evidence has been obtained by purchase, the court shall direct the clerk of the court to issue notice to the defendant informing the person of the availability of a prompt adversary hearing prior to the issuance of a warrant of arrest. If the court determines at a said hearing that the material is obscene, the matter shall be held as evidence and a warrant of arrest may be issued for the arrest of the defendant. Provided, further, if the defendant, owner or other party in interest of any matter seized or purchased shall not apply for a prompt adversary hearing within five (5) days after the seizure occurs or when seven (7) days after notice is issued by the court, an arrest warrant may be issued for the arrest of the defendant. In the case of films or motion pictures, at any time after seizure and prior to trial or any adversary hearing for the purpose of obtaining a preliminary determination of obscenity, the defendant or owner of any matter seized may apply for and, upon a showing that other copies of the film or motion picture are not available to be exhibited, the court shall order that the applicant be permitted to copy the film or picture, at his own expense, so that showing can be continued pending a judicial determination of obscenity in an adversary hearing.

SECTION 7. Any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, and shall upon conviction, be fined in any amount not to exceed One Thousand Dollars (1,000.00) and, may be imprisoned for any period not to exceed six (6) months.

SECTION 8. If any provision or clause of the Ordinance, or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications, of this ordinance and to this end the provisions of each section are declared to be severable.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Kraus, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 4-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-74 on the 9th day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the acting Mayor, City Controller, of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of April, 1974, at the hour of 10:30 o'clock P.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-04-03

SPECIAL ORDINANCE NO. S-50-74

AN ORDINANCE approving a contract w/Hipskind Asphalt Corporation for sidewalk repairs in Third Councilmanic District.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract dated March 18, 1974 between HIPSKIND ASPHALT CORPORATION and the CITY OF FORT WAYNE, by and through its Mayor and the Board of Public Works for the construction of curbs, wingwalks, alley returns and sidewalks in an area as follows:

Bounded by Lawton Place on the North, Griswold Drive on the East, Prospect Avenue on the South and Spy Run Avenue on the West.

for a total cost of \$46,013.05, of which the City will pay approximately \$23,000, the balance paid by the property owners under the Barrett Law all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-50-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-04

SPECIAL ORDINANCE NO. S-51-74

AN ORDINANCE approving a contract with HIPSKIND ASPHALT for sidewalk repairs.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated March 18, 1974 between HIPSKIND ASPHALT CORPORATION and the CITY OF FORT WAYNE, by and through its Mayor and the Board of Public Works to construct sidewalks, wingwalks and curbing in an area as follows:

Bounded by State Boulevard on the North, Anthony Boulevard on the East, Lake Avenue on the South and Alabama Avenue on the West.

for a total cost of \$80,512.40, of which the City will pay approximately \$56,000.00, the balance paid by the property owners under Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-51-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-05

SPECIAL ORDINANCE NO. S-52-74

AN ORDINANCE approving a certain bid document
with GARDEN AND TURF SUPPLY COMPANY

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 573 dated February 28, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and GARDEN AND TURF SUPPLY COMPANY, for:

30 Tons	Homogenous Pellet or Granular	
	Type Turf Fertilizer	\$5,460.00

as more specifically set forth in said bid Ref. No. 573 and Purchase Order No. 3-23333 which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-52-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-04-17

GENERAL ORDINANCE NO. G-09-74

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on March 26, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The North-South alley, approximately twelve (12) feet in width, between Rathert Lane and Fernhill Avenue, located in Fernhill Place Amended Addition, according to the plat thereof recorded in Plat Record 14, page 129, in the Office of the Recorder of Allen County, Indiana

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-09-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-06

SPECIAL ORDINANCE NO. S-53-74

AN ORDINANCE approving a certain bid document with
DELAGRANGE FORD SALES, INC. and ALLEN COUNTY
TRACTOR SALES, INC.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 577 dated March 2, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners as follows:

DELAGRANGE FORD SALES - P. O. # 3-23805	
Five (5) - One Ton Dump Trucks	\$17,608.00
ALLEN COUNTY TRACTOR SALES, INC. - P. O. #3-23804	
One (1) Utility Tractor w/Trade In	5,641.00
One (1) Utility Tractor w/Trade In	<u>3,531.00</u>
TOTAL	\$26,780.00

as more specifically set forth in said bid Ref. No. 577 and said Purchase Order Numbers, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-53-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-54-74

SPECIAL ORDINANCE NO. S-54-74

AN ORDINANCE approving a contract with
L.W. DAILEY, INC. for street, sidewalk
sewer and lighting improvements

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between L. W. DAILEY, INC. and the CITY OF FORT WAYNE, by and through its Mayor and the Board of Public Works for improvement of streets, sidewalks, storm sewers and street lighting in Hoevelwood Addition, as follows:

Section A, B, C, D and E, Hoevelwood Court . . .
Addition Sections A and B and the general area

for a total cost of \$473,731.20, the balance of \$228,676.00 to be paid by the property owners under Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-54-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-08

SPECIAL ORDINANCE NO. S-55-74

AN ORDINANCE approving a certain bid document with DELAGRANGE FORD SALES, INC. for 1974 Truck.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 574 dated March 20, 1974, between the City of Fort Wayne, by and through its Mayor and the Fort Wayne Humane Commission, and DELAGRANGE FORD SALES, INC., for

1 - 1974 Van-Type Truck \$3,400.14

all as more particularly set forth on said bid document REF. No. 574 and said Purchase Order 3-23766, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-55-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-04-25

RESOLUTION NO. R-29-74

A RESOLUTION authorizing the issuance and sale of \$290,000 Economic Development Revenue Bonds, Series 1974 (Keystone Distribution Park Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Keystone Distribution Park authorizing the execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4. 5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Keystone Distribution Park (the "Lessee") is a partnership organized and existing under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Keystone Distribution Park of economic development facilities, such lease to be guaranteed by Keystone Distribution Park; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the Acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and has transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Keystone Distribution Park Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound, will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$290,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$290,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Keystone Distribution Park Project) of the City (the "Series 1974 Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council and to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$290,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted

to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, is the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the Bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any and all matters, and do any and all things deemed by them, or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture and the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by this execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act. No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325 the Commission created by Special Ordinance No. S-19-72 of the City constitutes with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Moses, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stier

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-29-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-73-10-53 (AS AMENDED)

GENERAL ORDINANCE NO. G-08-74

AN ORDINANCE amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It is the purpose of this ordinance to provide that the operation of Junk Yards, Refuse Dumps or Public Garages with outside overnight storage of ten(10) or more vehicles as defined in this chapter be effectively screened to prevent neighborhood blight, loss of property values for residential, commercial, and industrial uses adjacent to and within view of said Junk Yards, Refuse Dumps, or Public Garages with outside storage for ten (10) or more vehicles and to make the same safe for the public health, safety and general welfare.

SECTION 2. Section 17 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 17.B

(6) Junk Yard, Refuse Dump, or Public Garage Fencing:

- (a) An opaque, solid fence having a height above ground level of not less than seven (7) feet shall be erected on all perimeters of all Junk Yards, as defined in this chapter, Refuse Dumps and Public Garages with outside overnight storage of ten (10) or more vehicles, as defined in this chapter. The fencing shall be uniform material, color, and height, provided, however, that the provisions of paragraph (3) of this section referring to corner visibility must be adhered to.
- (b) Any Junk Yard, Refuse Dump, or Public Garage with overnight storage for ten (10) or more vehicles existing as a permitted or non-conforming use, whether legal or not, upon effective date of this paragraph, must, if they are to continue, have an opaque fence as described in paragraph (a) above erected on all the perimeters of said use not later than six (6) months from enactment of this ordinance.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any other part, section, clause provision, or portion of this ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-08-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-04-32

RESOLUTION NO. R-28-74

A RESOLUTION IN COMMENDATION OF
THE CITY CLERK.

WHEREAS, the City Clerk of the City of Fort Wayne not only serves the Common Council of the City of Fort Wayne as its Executive Secretary, but also serves the Mayor of the City of Fort Wayne, and all Administrative Departments of City Government without exception; and

WHEREAS, all of them call upon the office of the City Clerk almost daily for some service or information requiring of said office versatility, alertness, accuracy, patience and tact; and

WHEREAS, the present City Clerk of Fort Wayne, Indiana, Charles W. Westerman, has for the first time in the history of Fort Wayne gathered together its records of the Ordinances of the Common Council, has established a record room with the assistance of the Fort Wayne Public Library, Fort Wayne Historical Society, Fort Wayne Police and Fire Departments and other administrative agencies. Former employees and present employees of the said City Clerk's office have diligently worked in accurately assembling said records without any appropriation of extra funds for said work; and

WHEREAS, the present City Clerk has set up an Agenda System for the Common Council, the City Administration, the news media and the general public; and

WHEREAS, the present City Clerk has succeeded in publishing a bi-weekly journal of Common Council proceedings, indexing same within a period of 30 to 90 days of latest publication; and

WHEREAS, heretofore said indexing was always well over six (6) months in arrears; and

WHEREAS, said City Clerk has improved the method of handling parking violations and thus aided in improving parking in Fort Wayne for the benefit of the citizens and visitors to said City; and

WHEREAS, Municipal Clerk's Week is about to be proclaimed during the month of May, 1974, it is an appropriate time to consider the importance of the work of the City Clerk in the function of government.

NOW, THEREFORE BE IT RESOLVED That Charles W. Westerman, City Clerk of the City of Fort Wayne be commended for his excellent work in the functions of his office.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-28-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-27

SPECIAL ORDINANCE S-56-74

AN ORDINANCE RATIFYING, CONFIRMING AND APPROVING AGREEMENTS WITH THE BOARD OF COUNTY COMMISSIONERS OF ALLEN COUNTY, INDIANA FOR CONVEYANCE OF REAL ESTATE TO THE CITY OF FORT WAYNE, INDIANA.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. The agreements to convey real estate dated April 23, 1973 and December 18, 1973 between the City of Fort Wayne, Indiana by and through its Board of Public Works and the Board of County Commissioners of Allen County, Indiana for the conveyance of the following described real estate to the City of Fort Wayne, Indiana:

Lot No. 330 Hanna's Addition to the City of Fort Wayne, Allen County, Indiana;

Lots 55 through 67 inclusive in Westview Heights Addition, an addition to the City of Fort Wayne, as evidenced by the Plat thereof in the County Recorder's office of Allen County, Indiana;

all as more particularly set forth in said agreements to convey real estate which are on file in the office of the Board of Public Works of the City of Fort Wayne, Indiana and are by reference incorporated herein and made a part hereof, are in all things hereby ratified, confirmed and approved.

Section 2. This Ordinance shall be in full force and effect after its passage and approval by the Mayor of the City of Fort Wayne, Indiana.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-56-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-12-09

ZONING MAP ORDINANCE NO. Z-07-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F7 & G7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F7 & G7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 90 through 101 and lots 120 through 131 Delta Heights Addition to the City of Fort Wayne
Location within the West 1/2 of the Southeast one-quarter of Section 32, St. Joseph Township,
Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-07-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-07-74 on the 23rd day of April, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

Bill No. Z-74-02-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. FF8 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald G. Schmidt

Concurred in 4-23-74

Charles W. Westerman
City Clerk

BILL NO. R-72-12-42

RESOLUTION NO. R-30-74

RESOLUTION CONCERNING CONSTRUCTION IN AREAS OF THE CITY IN WHICH THERE IS DANGER OF FLOODING

WHEREAS, the City of Fort Wayne, Indiana, has heretofore adopted Chapter 37 of the Municipal Code of the City of Fort Wayne; and,

WHEREAS, Section 53, Chapter 37 of the Municipal Code of the City of Fort Wayne states:

No work pertaining to the erection, alteration or repairing of a building or structure shall be commenced or proceeded with until the said plans and specifications have been approved by the Building Commissioner and the permit thereon issued.

WHEREAS, the Building Commissioner must examine all plans and specifications for the proposed construction when application is made to him for a building permit; and,

WHEREAS, the Common Council of the City of Fort Wayne is aware that the City of Fort Wayne does have special flood hazards; and,

WHEREAS, Chapter 28 (a) of the Municipal Code of the City of Fort Wayne sets forth and establishes subdivision regulations within the City of Fort Wayne, wherein the City Planning Commission and the Board of Public Works shall review all subdivision plans and plots when any area is proposed to be subdivided within the City of Fort Wayne and its two (2) mile jurisdictional area;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, AS FOLLOWS:

1. That the Building Commissioner for the City of Fort Wayne, when reviewing applications for building permits, including the plans and specifications for the proposed construction, will review all building permit applications to determine if the proposed construction is consistent with the need to minimize flood damage.
2. That the Building Commissioner shall review all building permit applications to determine if the site of the proposed construction is reasonably safe from flooding shall make recommendations for construction in all locations which have flood hazards.
3. That the Building Commissioner, in his review of all applications for construction in flood hazard locations within the City of Fort Wayne, shall require the applicant to provide, in his plans and specifications, the following:
 - a. Construction so as to prevent the flotation, collapse or lateral movement of the structure due to flooding.
 - b. The use of construction materials and utility equipment that are resistant to flood damage.
 - c. The utilization of construction methods and practices that will minimize flood damage.
 - d. Provision for adequate drainage in order to reduce exposure to flood hazards.
 - e. Location of public utilities and facilities on the site in such a manner as to be elevated and so constructed to minimize or eliminate flood damage, such utilities and facilities to include sewer, gas, electrical and water systems.
4. Be It Further Resolved that the Planning Commission of the City of Fort Wayne of Public Works, in their reviewing of all subdivision applications, shall make findings of fact and determine if:
 - a. All such proposed developments are consistent with the need to minimize flood damage.
 - b. Adequate drainage is provided so as to reduce exposure to flood hazards.
 - c. Adequate drainage is provided so as not to increase to exposure to flood hazards of adjacent lands.
 - d. All public utilities and facilities are located, elevated and constructed so as to minimize or eliminate flood damage, these utilities and facilities to include sewer, gas, electrical and water systems.

Eugene Kraus Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Eight
Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Burns

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-30-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-72-12-43

RESOLUTION NO. R-31-74

BE IT RESOLVED by the Common Council of the City of Fort Wayne, Indiana, in accordance with the Resolution making application for flood insurance which said City will hereforth, be submitting to the Department of Housing and Urban Development, that the appropriated Department of City Government of the City of Fort Wayne, Indiana:

- (1) Required building permits for all proposed construction or other improvements in said city;
- (2) Review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage;
- (3) Review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to flood hazards; and
- (4) Require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood eaters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Department of Housing and Urban Development.

Eugene Kraus, Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Burns

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Resolution No. R-31-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-18

SPECIAL ORDINANCE NO. S-57-74

AN ORDINANCE approving contracts for materials for Light Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts dated March 21, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the following:

Graybar Electric - P.O. #3815	
840 Lin. Ft. Copper Wire 750 MCM	2,369.59
120 Lin. Ft. - 1000 MCM Copper Wire	451.45
The Okonite Company - P.O. #3816	
25,200 Lin. Ft. I/C 350 MCM Copper Network Cable	47,041.80
The Okonite Company - P.O. #3791	
5000 Ft. 1/0 Copper 5KV insulated cable	12,465.00
TOTAL	\$62,327.84

all as more particularly set forth on said CITY UTILITIES PURCHASE ORDER NUMBERS which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-57-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-19

SPECIAL ORDINANCE NO. S-58-74

AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS for a 1974 Truck.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated March 20, 1974, by and through its Mayor and the Board of Public Works and ALLEN COUNTY MOTORS, INC., for
1974 Truck - 1 Ton Chassis and Cab \$3,460.38

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 3768, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 4-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-58-74 on the 23rd day of April, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of April, 1974, at the hour of 11:45 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-23

SPECIAL ORDINANCE NO. S-59-74

AN ORDINANCE approving a certain bid document
with PAVE-MARK CONTRACTORS for pavement
marking compound

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 578 dated April 2, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety as follows:

10 Ton White Thermoplastic Pavement
Marking Compound

\$5,750.00

as more specifically set forth in said bid Ref. No. 578 and Purchase Order No. 3-23909 which is on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-59-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-24

SPECIAL ORDINANCE NO. S-60-74

AN ORDINANCE authorizing the issuance and sale of \$290,000 Economic Development Revenue Bonds Series 1974 (Keystone Distribution Park Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Keystone Distribution Park authorizing execution of the lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Keystone Distribution Park" and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on April 12, 1974, approving the financing of said facilities as described in said Report to be financed by the loan to Keystone Distribution Park of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1974, 18-6-4.5; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of proceeds thereof to Keystone Distribution Park for the purpose of acquiring and constructing the facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Keystone Distribution Park Project) in the total principal amount of Two Hundred Ninety Thousand Dollars (\$290,000.00) for the purpose of acquiring funds to loan to Keystone Distribution Park so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Keystone Distribution Park on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Keystone Distribution Park.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signature of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Keystone Distribution Park Project) and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-60-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-12

RESOLUTION NO. R-32-74

A RESOLUTION authorizing transfer of funds from insurance proceeds to Motor Equipment in the 1974 Police Department Budget

WHEREAS, a 1973 Plymouth Police Vehicle, licensed # 17195 was totally demolished in an accident on November 19, 1973; and

WHEREAS, a check in the amount of \$3,317.22 was received from the Great American Insurance Company; and

WHEREAS, said money will be used to purchase a new vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the City Controller is authorized to transfer the sum of \$3,317.22 from insurance proceeds to Account No. 710-722, Motor Equipment in the 1974 Budget of the Board of Public Safety, Police Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-32-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff, Mayor

BILL NO. R-74-05-11

RESOLUTION NO. R-33-74

A RESOLUTION authorizing the necessary preliminary steps for the study of the possibility of the issuance of general obligation bonds to finance street and other major capital improvements

WHEREAS, it has been many years since there has been a comprehensive street improvement program in the City of Fort Wayne, Indiana; and

WHEREAS, the severity of the winters and the increasingly heavy volume of motor vehicle traffic within the City have brought about a situation in which many of the existing streets are in desperate need for additional streets; and

WHEREAS, several major capital improvements deserve immediate attention; and

WHEREAS, the financial situation of the City is such that current revenue cannot finance such a program of street and capital improvements; and

WHEREAS, the City has available bonding power in the approximate amount of \$3,750,000; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Mayor, the Controller and the Board of Public Works be and they hereby are authorized and directed to take the necessary preliminary steps to study the possibility of the issuance of general obligation bonds of the City of Fort Wayne, Indiana in the approximate amount of \$3,750,000 to finance a street and capital improvement program.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
D. Schmidt

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-33-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-01-11

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. A2 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 5-14-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-01-12

ZONING ORDINANCE NO. Z-08-74

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. AA7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BlB district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Map No. AA7 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lots 5 & 6 Ortlieb & Bischoff's Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-08-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarcio
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-18

GENERAL ORDINANCE NO. G-10-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

A portion of the East-West alley located in Hanna's Addition, extending 185 feet west of the West Right-of-Way of Harmar Street, lying between Wayne Street and Washington Blvd.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-10-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-25

GENERAL ORDINANCE NO. G-11-74

AN ORDINANCE prohibiting the Distribution or exhibition of Obscene Matter of Performances and Repealing General Ordinance No. G-07-74, dated April 9, 1974.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Obscene Matters and Performances

For the purpose of this Ordinance:

(a) "Matter" means any book, magazine, newspaper, or printed or written material, or any picture, drawing, photograph, motion picture, or other pictorial representation, or any statue or other figure, or any recording, transcription, or mechanical, chemical or electrical reproduction or any other articles, equipment, machines or material.

(b) "Performance" means any play, motion picture, dance or other exhibition or presentation, whether pictured, animated or alive, performed before an audience of one or more persons.

(c) Any matter or performance is obscene if: (i) the average person, applying contemporary community standards, finds that the matter or performance taken as a whole, appeals to the prurient interest, and (ii) the matter or performance depicts or describes in a patently offensive way, sexual conduct, normal or perverted, actual or simulated, and (iii) the matter or performance taken as a whole, lacks serious literary, artistic, political or scientific value.

(d) "Sexual conduct" means acts of masturbation, excretory functions, lewd exhibition of the genitals, sadomasochistic abuse, homosexuality, lesbianism, bestiality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast or breasts of a female for the purpose of sexual stimulation, gratification, or perversion.

(e) "Sadomasochistic abuse" means flagellation or torture by or upon a person as an act of sexual stimulation or gratification.

(f) "Person" means any individual, partnership, firm association, corporation or other legal entity.

(g) "Distribute" means to transfer possession of, whether with or without consideration.

(h) "Knowingly" means knowing or having good reason to know or having such constructive knowledge as would constitute knowing, the character of the matter or performance.

(i) "Owner" means any person who owns or has legal right to possession of any matter.

(j) "City" means City of Fort Wayne, Indiana.

SECTION 2. Every person who knowingly sends or causes to be sent, or brings or causes to be brought, into the City for sale or distribution, or in the City possesses, prepares, publishes or prints, with intent to distribute or to exhibit to another, or who offers to distribute, distributes, or exhibits to another any obscene matter is guilty of a misdemeanor.

SECTION 3. Every person who knowingly engages or participates in, manages, produces, sponsors, presents or exhibits any obscene performance is guilty of a misdemeanor.

SECTION 4. Defenses. It shall be an affirmative defense to a prosecution under this Ordinance for the defendant to show:

(a) That the act was done for legitimate scientific or educational purposes.

SECTION 5. Where the subject matter is offered for distribution to the public as stock in trade of a lawful business or activity, or as in the case of films is exhibited at a commercial theater showing regularly scheduled performances to the general public, no persons shall be arrested for a violation of any of the provisions of this Ordinance unless the arresting officer shall have first obtained an arrest warrant, and no property shall be seized as evidence unless a search warrant shall have first been obtained pursuant to the provisions of this Ordinance; Provided, however, that the quantity of matter seized shall encompass no more than is reasonable and necessary for the purpose of obtaining evidence.

SECTION 6. At any time after seizure, or the obtaining of evidence by purchase, and prior to arrest, the City, defendant, owner, or other party in interest of any matter seized or purchase, may apply for and obtain a prompt adversary hearing for the purpose of obtaining a preliminary determination of obscenity. Said hearing for preliminary determination of obscenity shall be held promptly and without the intervention of a jury, said restriction applying only to the preliminary determination and in no way affecting the defendant's right to a jury trial. If evidence has been obtained by purchase, the court shall direct the clerk of the court to issue notice to the defendant informing the person of the availability of a prompt adversary hearing prior to the issuance of a warrant of arrest. If the court determines at said hearing that the material is obscene, the matter shall be held as evidence and a warrant of arrest may be issued for the arrest of the defendant. Provided, further, if the defendant, owner or other party in interest of any matter seized or purchased shall not apply for a prompt adversary hearing within five (5) days after the seizure occurs or within seven (7) days after notice is issued by the court, an arrest warrant may be issued for the arrest of the defendant. In the case of films or motion pictures, at any time after seizure and prior to trial or any adversary hearing for the purpose of obtaining a preliminary determination of obscenity, the defendant or owner of any matter seized may apply for and, upon a showing that other copies of the film or motion picture are not available to be exhibited, the court shall order that the applicant be permitted to copy the film or picture, at his own expense, so that showing can be continued pending a judicial determination of obscenity in an adversary hearing.

SECTION 7. Any person who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor, and shall upon conviction, be fined in any amount not to exceed One Thousand Dollars (\$1,000.00) and, may be imprisoned for any period not to exceed six (6) months.

SECTION 8. This Ordinance repeals General Ordinance No. G-07-74, dated April 9, 1974.

SECTION 9. If any provision or clause of this Ordinance, or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Ordinance, and to this end the provisions of each section are declared to be severable.

SECTION 10. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-11-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-30

SPECIAL ORDINANCE NO. S-61-74

AN ORDINANCE approving an Agreement with
Engle Ridge Corporation for Sewer Extension

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement approved the 9th day of April, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ENGLE RIDGE CORPORATION, for construction of a sanitary sewer system as follows:

15-Inch Sanitary Sewer Line

Beginning at an existing pumping station located 30± lineal feet South of and 70± lineal feet East of the centerline intersection of Engle Road and Clubview Drive; thence, South 1,400± lineal feet along the East right-of-way line of said Clubview Drive to a proposed manhole located 30± lineal feet East of the centerline extension of Clubview Drive and 1,430± lineal feet South of the centerline of Engle Road; thence due East 400± lineal feet terminating at a proposed manhole.

Pumping Station and Force Main

Beginning at a point that will be the location of a pumping station located 30± lineal feet South of and 70± lineal feet East of the centerline intersection of Clubview Drive and Engle Road; thence, Easterly along and parallel to the South right-of-way line of Engle Road 3,550± lineal feet terminating at an existing sanitary manhole. Said sewer shall be 8-inch force main and 15-inch gravity sewer

for a cost of \$47,012.00, to be reimbursed when tap-ins are made, plus engineering costs, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-61-74 on the 14th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melving G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-31

SPECIAL ORDINANCE NO. S-62-74

AN ORDINANCE approving a contract with
TREATY COMPANY for purchase of materials
for curb and sidewalk program.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated April 8, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and TREATY COMPANY, for:

30	R-3238 Complete castings	\$3663.00
70	R-3010 Complete casting w/sinsoldiol	5959.00
10	R-1077 w.B type cover mach. frame for manhole	713.00
TOTAL		\$10,035.00

all as more particularly set forth on said CITY UTILITIES PURCHASE ORDER NO. 3888 which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-14-74

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-62-74.

ATTEST:

(SEAL)

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of May, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk
Melvin G. Honeck, Deputy Clerk

Approved and signed by me this 15th day of May, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-01

SPECIAL ORDINANCE NO. S-63-74

AN ORDINANCE approving a certain bid document with WATER EQUIPMENT CORPORATION for equipment for the Humane Commission

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 566, dated February 13, 1974 by and through its Mayor and the Humane Commission and WATER EQUIPMENT CORPORATION, for:

one (1) Incinerator Comtro Model A-22	\$ 8,366.00
Installation	3,619.00
TOTAL	\$11,985.00

all as more specifically set forth in said bid document Ref. No. 566 and Purchase Order No. 3-24292, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-63-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-02

SPECIAL ORDINANCE NO. S-64-74

AN ORDINANCE approving a certain bid document with HOUSE OF HONDA for Police Department motorcycles.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 580 dated April 15, 1974 by and through its Mayor and the Board of Public Safety and HOUSE OF HONDA, for,

Three (3) Solo Motorcycles \$8,174.83

all as more specifically set forth in said bid document Ref. No. 580 and Purchase Order No. 3-14-90-E, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-64-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-03

SPECIAL ORDINANCE NO. S-65-74

AN ORDINANCE approving a certain bid document with ALLEN COUNTY MOTORS, INC. for utility truck for Traffic Engineering.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 583 dated April 21, 1974, by and through its Mayor and the Traffic Engineering Department and ALLEN COUNTY MOTORS, INC., for

1974 Model 3/4 Ton Utility Truck \$4,390.00

all as more specifically set forth in said bid document Ref. No. 583 and Purchase Order No. 3-24576-I, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-65-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-04

SPECIAL ORDINANCE NO. S-66-74

AN ORDINANCE approving a contract with L. W. DAILEY, INC. for improvements in Colonial Park Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and L. W. DAILEY, INC. for improvements to Colonial Park Addition, as follows:

Sections A & B and abutting areas with the following improvements:
Draining, curbing, grading and paving the streets to a uniform width of twenty seven (27) feet including curbs with six (6) inch plain concrete. A storm sewer system adequate to provide drainage to said streets and abutting properties. Ornamental street lighting and underground wiring. Wendmere Lane and Colony Drive from Clinton Street to Campus Court and Concordia Drive and Campus Court, St. Joe Road to Wendmere Lane

for a cost to the city of approximately \$165,063.27, plus furnishing of light fixtures, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-66-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-05

SPECIAL ORDINANCE NO. S-67-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for paving a portion of Ley Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated March 20, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC., for:

Paving unimproved portion of Ley Road at Penn-Central Railroad crossing	\$11,399.55
---	-------------

all as more particularly set forth on Purchase Order No. 3-23553, which is on file in the Office of the Department of Purchasing, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-67-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-06

SPECIAL ORDINANCE NO. S-68-74

AN ORDINANCE approving a blanket purchase order with GLADIEUX REFINERY, INC. for materials for Street maintenance.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated April 11, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and GLADIEUX REFINERY, INC., for

Hot Asphalt Base Oil
Liquid Calcium Magnesium Chloride Liquor

all as more particularly set forth on Blanket Purchase Order No. 3-28311, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-68-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-07

SPECIAL ORDINANCE NO. S-69-74

AN ORDINANCE approving a certain bid document with BREMER'S, INC. for industrial equipment trailers for the Park Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. 581, dated April 19, 1974, by and through the Mayor and the Board of Park Commissioners and BREMER'S INC. for:

Three (3) Industrial Equipment Trailers	
Davis 8DS Eager Beaver Model	\$3,861.00

all as more specifically set forth in said bid document Ref. No. 581 and Purchase Order No. 3-24575, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-69-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor

BILL NO. S-74-05-08

SPECIAL ORDINANCE NO. S-70-74

AN ORDINANCE approving a certain bid document with POINSATTE MOTORS, INC. and DUTHLER FORD for police cars.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 584 dated April 24, 1974 by and through its Mayor and the Board of Public Safety and POINSATTE MOTORS, INC. and DUTHLER FORD, for:

POINSATTE MOTORS: - P. O. No. 3-24501-E	
17 Four Door Sedans w/trade in	\$49,157.20
DUTHLER FORD - P. O. No. 3-24542-E	
15 Four Door Sedans w/trade-ins	<u>46,523.45</u>
TOTAL	\$95,680.65

all as more specifically set forth in said bid document Ref. No. 584 and Purchase Order Numbers 3-24501-E and 3-24542-E, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-70-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-09

SPECIAL ORDINANCE NO. S-71-74

AN ORDINANCE approving a certain bid document with C. A. LEHMAN & SONS, INC. for construction of building for Reservoir Park, Open Space Land Program Part II, Project OSC-1008

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 579, dated April 11, 1974, by and through its Mayor and the Board of Park Commissioners and C. A. LEHMAN & SONS, for

Multipurpose Building - Reservoir Park	\$106,579.00
--	--------------

all as more specifically set forth in said bid document Ref. No. 579 and Purchase Order No. 3-24575, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Kraus, Moses, Nuckols, Stier, Talarico
Nays: Three
Burns, D. Schmidt, V. Schmidt

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-71-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-10

SPECIAL ORDINANCE NO. S-72-74

AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS, INC. for purchase of 1974 Sedan for Right-of-Way Permit Engineering

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated April 18, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ALLEN COUNTY MOTORS, INC., for:

1 - 1974 Four Door Sedan \$2,336.65

all as more particularly set forth on Purchase Order No. 3-24246, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-72-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-55

SPECIAL ORDINANCE NO. S-73-74

AN ORDINANCE of the City of Fort Wayne approving Report of Fort Wayne Development Commission RE: Proposed Loan for the financing of Economic Development Facilities By Gladieux Refinery, Inc. and Authorizing the issuance and sale of Revenue Bonds and the loan of proceeds thereof to Gladieux Refinery, Inc. for the purpose of Acquiring and constructing certain industrial facilities and other matters relating thereto.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Gladieux Refinery, Inc.," and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on March 25, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Gladieux Refinery, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Proposed Form of Loan Agreement with a Note attached, a Trust Indenture and Proposed Form of Ordinance, and finding that the proposed financing complies with the purposes and provisions of I.C. 1974, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Gladieux Refinery, Inc. for the purpose of acquiring and constructing the industrial facilities referred to in the Loan Agreement, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Loan Agreement with the form of the Note attached and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and all of such documents collectively shall be considered the "Financing Agreements: referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Gladieux Refinery, Inc. Project) in the total principal amount of Five Hundred Thousand Dollars (\$500,000) for the purpose of acquiring funds to loan to Gladieux Refinery, Inc. so that it may acquire and construct the project (all as more particularly set out in the Loan Agreement and attached Note and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Gladieux Refinery, Inc. on its Note or Notes made to the Trustee pursuant to the Loan Agreement and from other sources as provided in the Loan Agreement or as otherwise provided in the above described Indenture of Trust.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 7.25% per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Gladieux Refinery, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor on the bonds may be a facsimile signature. The City Clerk of the City of Fort Wayne is authorized to arrange for the delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Gladieux Refinery, Inc.), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Ivan A. Lebamoff
Mayor

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-73-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1973, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-34

RESOLUTION NO. R-34-74

A RESOLUTION authorizing the transfer of funds from Account No. 770-2-261 to Account No. 770-4-44 in the 1974 Budget of Traffic Engineering Department.

WHEREAS, it is necessary for the Traffic Engineering Department to purchase certain materials for signing and marking existing City streets; and

WHEREAS, due to increased costs of materials, steel prices, petroleum middle distillates, plus the need to purchase Thermo plastic compounds, there are insufficient funds in Account No. 770-2-261 to cover said expense; and

WHEREAS, there are sufficient funds in Account No. 770-4-44, Services Contractual to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

1. That the sum of \$20,000.00 is hereby transferred from Account No. 770-2-261, Service Contractual to Account No. 770-4-44, Other Materials in the 1974 Budget of Traffic Engineering Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-34-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-35

RESOLUTION NO. R-35-74

A RESOLUTION authorizing the transfer of certain funds in the 1974 Budget of the Department of Human Resources

WHEREAS, due to increased responsibility and additional assignments within the activities of Citizen Participation, Veteran Services, and Equal Employment there are insufficient funds to cover the increased administrative costs; and

WHEREAS, there are sufficient funds in the unobligated and unexpended balance of Account Nos. 670-213, Travel and 670-362, Stationery to cover said costs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, THAT:

1. There is hereby transferred the sum of \$1,688.00 from Account No. 670-213, Travel and the sum of \$100.00 from Account No. 670-362, Stationery to the following accounts in the following amounts:

670-212	Postage	\$ 436.00
670-241	Printing	453.00
670-363	Office Supplies	444.00
670-055	Subscription	155.00
670-023	Instruction	<u>300.00</u>

\$1,788.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, Talarico, D. Schmidt, V. Schmidt, Stier,
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-35-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-36

RESOLUTION NO. R-36-74

A RESOLUTION transferring certain funds
from insurance proceeds to Motor Equip-
ment in the 1974 Budget of the Police Department

WHEREAS, on November 6, 1973 a certain 1973 Plymouth Police vehicle was involved in a collision at Harrison and Packard Streets; and

WHEREAS, a check for \$3,467.22 was received from Great American Insurance Company as partial payment of the cost of damage; and

WHEREAS, an additional \$1,000.00 will be received when the releases are signed; and

WHEREAS, the insurance proceeds will be used to purchase a new police vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the sum of \$3,467.22 is hereby transferred from insurance proceeds to Account No. 710-722, Motor Equipment in the 1974 Budget of the Police Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-36-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-37

RESOLUTION NO. R-37-74

A RESOLUTION transferring certain funds
in the 1974 Budget of the Fire Pension

WHEREAS, unusually large legal expenses have been incurred in the litigation between the City and the Fire Pension Board over payment of pensions in accord with H.B. 1852; and

WHEREAS, there are sufficient funds in Account No. 40-831-58, Contingencies to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

1. There is hereby transferred the sum of \$1,000.00 from Account No. 40-831-58, Contingencies to Account No. 40-831-261, Legal in the 1974 Budget of Fire Pension.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-37-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-38

RESOLUTION NO. R-38-74

A RESOLUTION releasing funds from insurance proceeds for payment of Police Car # 97

WHEREAS, Police Car # 97 was involved in an accident at the corner of Lafayette and Columbia Avenue on December 17, 1973; and

WHEREAS, a check in the amount of \$183.07 was deposited with the Controller's office; and

WHEREAS, Jim Kelley Buick has completed repairs on said police car for a sum of \$183.07 and is awaiting payment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

1. The City Controller is hereby authorized to pay the sum of \$183.07 from insurance proceeds to Jim Kelley Buick for repairs to Police Car # 97.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-38-74 on the 28th day May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-39

RESOLUTION NO. R-39-74

A RESOLUTION transferring certain sums in the
1974 Budget of Right Of Way Permit Department

WHEREAS, an insufficient amount was originally appropriated for the purchase of a new vehicle in the Right Of Way Permit Department; and

WHEREAS, excess monies are available in Account No. 900-261, Xerox to cover the additional sum necessary for the new vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, THAT:

1. The sum of \$336.65 is hereby transferred from Account No. 900-261, Xerox to Account No. 900-722 Motor Equipment in the 1974 Budget of the Right Of Way Permit Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 5-28-72

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-39-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-46

RESOLUTION NO. R-40-74

A RESOLUTION authorizing the temporary advancement of funds from the General Fund to the Community Renewal Program Fund for the period ending December 31, 1974

WHEREAS, it has become necessary to borrow money to enhance the depleted fund of Community Renewal Program of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of General Fund of the City of Fort Wayne which can be temporarily advanced or transferred to said Community Renewal Program Fund.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

That the Controller of the City of Fort Wayne be and is hereby authorized and directed to transfer the sum of \$35,000 from the General Fund to the Community Renewal Program which said sum shall be returned and repaid to the General Fund on or before December 31, 1974.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-40-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-51

RESOLUTION NO. R-41-74

A RESOLUTION authorizing the temporary advancement of funds from the General Fund to the Revenue Sharing Trust Fund for the period ending December 31, 1974

WHEREAS, it has become necessary to borrow money to enhance the depleted fund of Revenue Sharing Trust Fund of the City of Fort Wayne; and

WHEREAS, there is sufficient money on deposit to the credit of the General Fund of the City of Fort Wayne which can be temporarily advanced or transferred to said Revenue Sharing Trust Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, THAT:

The Controller of the City of Fort Wayne be, and is hereby authorized and directed to transfer the sum of \$100,000 from the General Fund to the Revenue Sharing Trust Fund which said sum shall be returned and repaid to the General Fund on or before June 3, 1974.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-41-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-53

RESOLUTION NO. R-42-74

A RESOLUTION authorizing the Department of Community Development and Planning in the Office of the Mayor to apply for a Comprehensive Planning Grant from H. U. D.

WHEREAS, the Department of Housing and Urban Development has available funds for grants to communities for the establishment of Overall Program Designs to improve the decision-making process of their respective governments with special attention being given to the coordination of planning between the different agencies of the City and between the City and other agencies with which it must work; and,

WHEREAS, the maximum cost of establishing such an Overall Program Design would be \$33,600.00 of federal funds, to be paid by the Department of Housing and Urban Development, and not less than one-third additional matching funds provided by the City of Fort Wayne from monies already budgeted for such purpose.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Department of Community Development and Planning in the Office of the Mayor of the City of Fort Wayne is hereby authorized to apply for such a grant.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance Resolution No. R-42-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-05-56

RESOLUTION NO. R-43-74

A RESOLUTION authorizing the issuance and sale of \$500,000. Economic Development Revenue Bonds, Series 1974 (Gladieux Refinery, Inc. Project) of the City of Fort Wayne, Indiana for the purpose of acquiring machinery, equipment and related property comprising economic development facilities to be constructed and operated by authorizing execution of a loan agreement to Gladieux Refinery, Inc.; providing for the pledge of revenues for the payment of said Bonds; Authorizing an Indenture of Trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to make loans to users for the construction of economic development facilities as those words are defined in the Act and to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City and to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Gladieux Refinery, Inc. (the "Company") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Company has agreed to construct economic development facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become known as the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of construction of economic development facilities by the Company; and

WHEREAS, the Commission has by such resolution approved a report estimating the public service which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and has transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the costs of such facilities, the loan agreement and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City of the Secretary of the Commission.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the machinery, equipment, and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series (1974) (Gladieux Refinery, Inc. Project) herein authorized the "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit insufficient employment opportunities and insufficient diversification of industry, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$500,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered

\$500,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Gladieux Refinery Project) of the City (the "Series 1974 Bonds"). It is hereby recognized that pursuant to the terms of the loan agreement the balance of the cost of the Project will be paid by the Company unless paid for out of the proceeds of additional parity bonds (the Additional Bonds) as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Loan Agreement, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council and to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds may be issued is hereby expressly limited to \$500,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the Official manual or facsimile signature of the Mayor and attested with the Official manual signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he has remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds, on terms consistent with the Bonds Resolution.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the servability of provisions of the Indenture.

SECTION 9. General. The Mayor, Clerk and City Controller be and they each hereby are authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any and all matters, and do any and all things deemed by the, or any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Company, the issuance and sale of the Series 1974 Bonds, and the Securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture and the loan agreement, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and loan agreement, is substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of Counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 10. Prior Proceedings. All action by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporate herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act. No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325 the Commission created by Special Ordinance No. S-19-72 of the city continues with the powers and duties of a "development commission" under Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-43-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-04-28

SPECIAL ORDINANCE NO. S-74-74

AN ORDINANCE approving a Lease Agreement with
Haskell B. Schultz for off-street parking in the
1900 Block of South Calhoun Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Lease Agreement between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and HASKELL B. SCHULTZ, for the following described property:

Lot Numbered 1 and the North 6" of Lot Numbered 2 in Williams
Addition to the City of Fort Wayne, Allen County, Indiana

for a cost of \$225.00 per month for a 10-year period, all as more particularly set forth in said Lease which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: Two
Burns, D. Schmidt

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-74-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-04-08

ZONING MAP ORDINANCE NO. Z-09-74

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C-14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C-14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #19, 21, 22, 23, 28, 29, 30, & 31, Gardendale Addition.
A parcel of ground located on the east side of Decatur Road,
South of Seddlemeyer Avenue and North of Woodside Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-09-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-07-17

ZONING ORDINANCE NO. Z-10-74

AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 8D of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 8D of Article II of the Fort Wayne Municipal Code, Chapter 36 is hereby enacted as follows:

Section 8 - General Use Provision

D. Parking area improvement.

(1) The Board of Public Works of the City of Fort Wayne is hereby authorized and required to prescribe minimum specifications for paving, surfacing, drainage of all land used for off-street parking, whether required by this Chapter or otherwise, and all driveways thereto.

(2) All land which is hereafter placed in use for off-street parking and all driveways thereto, and all land which has been put to such use since on or after December 3, 1969, and which is hereafter to be used for off-street parking, shall be paved or surfaced and shall be drained with materials and in a manner which meets the minimum specifications and standards for parking lots adopted December 2, 1969, by the Board of Public Works of the City of Fort Wayne, and any current or future amendments thereto by said Board, provided, however, that nothing contained in this paragraph D shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit. Any proposed drainage plan must be approved by the Board of Public Works prior to the issuance of any Driveway Access Permit.

(3) All land which is located within the boundaries of St. Mary's River on the North, Clay Street on the East, Penn Central Railroad on the South, and Fairfield Avenue on the West in the City of Fort Wayne, Indiana, which has been and/or hereafter is used for off-street parking, and all driveways thereto, must be paved or surfaced and drained as provided in the preceding paragraph.

(4) All land which is hereafter used and has been used continuously for off-street parking and for driveways thereto, on or prior to December 2, 1969, must be surfaced with compacted crushed stone of uniform size and texture of not less than three (3) inches depth and in a manner which prevents such material from eroding, washing or otherwise being deposited on public sidewalks and street rights-of-way. Any continuing violation of this paragraph for a period of ninety (90) days after notice of such violation has been mailed by Board of Works to the Owner of the land as shown on the tax duplicated in the Office of the Assessor of Allen County, Indiana, shall constitute a nuisance in violation of this chapter, shall be unlawful, and such use shall be subject to all penalties provided in this chapter; provided however, that nothing contained in this paragraph shall be deemed to require the paving of any off-street parking space or driveway thereto for any dwelling unit.

(5) All land in or adjoining an R or B District which is hereafter placed in use for off street parking, except for any dwelling unit, shall be landscaped to aid in controlling the circulation of cars and pedestrians, to identify entrances and exits, and to improve the appearance of such use to maintain property values in the area and the following specific landscaping requirements must be satisfied:

- (a) All open, off-street parking areas shall provide and maintain shade trees of a variety hardy to this region and totaling not less than 1% of the surfaced parking area. The minimum size tree island shall not be less than 70 square feet.
- (b) Screening, consisting of a hedge, wall, or uniformly painted fence to provide a visual separator and physical barrier with maximum height of four feet shall be provided between said off-street parking and all R and B areas. These lots adjacent to a residential district shall provide screening between such land and the R district not less than six feet in height.
- (c) The total landscaped (green) area for any parking lot shall not be less than 10% of the gross area developed. The owner shall be responsible for the perpetual maintenance of the green space.

(6) Set-Backs - All land used for off-street parking in districts for which front yards are required by this Chapter shall be located not less than five feet from any property line abutting on a street; provided, however, that nothing contained in this Paragraph D shall be deemed to apply to any off-street parking space or driveway thereto for any single family dwelling unit. All parking lots shall have curbing around perimeters at a sufficient location to keep vehicles from overhanging or encroaching upon abutting properties, streets, alleys or sidewalks. Curbing are also to be used to facilitate drainage and insure no discharge of water onto abutting properties.

(7) Lighting - Any light used to illuminate land used for off-street parking or driveways thereto shall be installed on private property and maintained so as to reflect the light away from any adjoining R District. It shall also be designed to avoid glare into street rights-of-way.

(8) Permit - Any person constructing a parking lot pursuant to the provisions herein after the effective date of this Ordinance shall obtain an improvement violation permit. Said permit shall be issued after applicant has submitted evidence that his proposed off-street parking area improvement shall comply with provisions herein.

SECTION 2. In all other respect except as herein repealed said Section 8, Article II of chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, shall be in full force and effect.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any part, section, clause, provision, or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: Two
Burns, Moses

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-10-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-04-29

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending chapter 30 of the Fort Wayne Municipal Code by amending Sections 37, 38, 39, 40, 41, 43, and 44 thereof have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 5-28-74

Charles W. Westerman
City Clerk

BILL NO. G-74-05-15

GENERAL ORDINANCE NO. G-12-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Nevada Avenue in the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Nevada Avenue having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Nevada Avenue in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-12-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-16

GENERAL ORDINANCE NO. G-13-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common

Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

A portion of the East-West alley, lying between Masterson Avenue and Williams Street, extending 135 feet west of the West Right-of-Way of Calhoun Street

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns
Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-13-74 on the 28th day of May, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-48

GENERAL ORDINANCE NO. G-14-74

AN ORDINANCE regulating unsafe buildings and premises in Allen County

WHEREAS, the Board of Commissioners of Allen County, has determined that any building or structure that is in an impaired structural condition which renders it unsafe or dangerous to persons and property, or is a fire hazard, or is a hazard to the public health, or is a public nuisance, or does not comply with standards for building condition or maintenance which would be dangerous to any person or property, and

WHEREAS, a City-County Building and Minimum Housing Department of Allen County has been created pursuant to IC 1971, 17-2, to enforce the respective building and minimum housing codes of the City of Fort Wayne and Allen County,

NOW THEREFORE, pursuant to IC 1971, 18-5-5.5,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. As used in this Ordinance, unless the context clearly indicates otherwise:

- (a) "Board of County Commissioners" shall mean the Board of Commissioners of Allen County.
- (b) "Department" shall mean the City-County Building and minimum Housing Department of Allen County.
- (c) "Unsafe Building Administrator" shall mean the Building Commissioner in the territorial jurisdiction of Allen County outside the City of Fort Wayne, and the Deputy Building Commissioner, who is the Director of Minimum Housing and Relocation, within the territorial jurisdiction of the City of Fort Wayne, which Unsafe Building Administrator is hereby authorized and directed to administer this Ordinance in his respective jurisdiction.

- (d) "Board" shall mean the City-County Building and Minimum Housing Department Board.
- (e) "Order" shall mean any written directive issued by the Unsafe Building Administrator in accordance with Section 2 of this Ordinance.
- (f) "Person" shall mean any entity capable of holding an interest in real estate, including (by way of example and not of limitation) individuals and corporations.
- (g) "Substantial property interest" shall mean any right in real estate susceptible of being affected in a substantial way by actions authorized by this chapter, including a fee interest, a life estate or future interest, a present possessory interest, or equitable interest of a contract purchaser.

The interest reflected by a lease, license, mortgage, land sale contract or lien shall not be deemed a substantial property interest unless the lease, license, mortgage, land sale contract, lien or evidence of the same is either:

- (1) recorded in the office of the county recorder; or
- (2) subject of written information received by the Unsafe Building Administrator about the lease, license, mortgage, land sale contract, or lien, which includes the name and address of the holder of such interest.
- (h) "Unsafe building" shall mean any building or structure, or any part thereof, that is in an impaired structural condition or state which renders it unsafe or dangerous to any person or property; or is a fire hazard; or is a hazard to the public health; or is a public nuisance; or does not comply with standards for building condition or maintenance, found in an ordinance enacted by the Board of Commissioners of Allen County or the Common Council of the City of Fort Wayne, or in a state law, if such non-compliance would be dangerous to any person or property.
- (i) "Unsafe premises" shall mean any unsafe building; or the tract of real estate on which an unsafe building is located; or any unsafe building and the tract of real estate on which the unsafe building is located.

SECTION 2. The Unsafe Building Administrator may issue an order relative to any unsafe premises to require action, including but not limited to:

- (1) vacating of an unsafe building;
- (2) sealing an unsafe building against intrusion by unauthorized persons in accordance with a uniform standard established by the Board of Commissioners of Allen County or the Common Council of the City of Fort Wayne, within their respective jurisdictions;
- (3) extermination of vermin in and about the unsafe premises;
- (4) repair of an unsafe building to bring it into compliance with standards for building condition or maintenance found in ordinances enacted by the Board of Commissioners of Allen County or the Common Council of the City of Fort Wayne, within their respective jurisdictions or state laws;
- (5) removal of a portion of an unsafe building;
- (6) removal of an unsafe building.

The ordered action shall be reasonably related to the condition of the unsafe premises and the nature and use of nearby properties.

The order shall take precedence over any municipally issued permit relating to building or land use which is obtained either or after the order is issued. The force of an order shall expire two (2) years from the day the notice of the order is given unless one (1) or more of the following events occur within such two (2) year period:

- (1) a complaint requesting judicial review is filed in accordance with Section 9 of this Ordinance;
- (2) work is let out at public bid to a contractor to perform action required by an order in accordance with Section 14 of this Ordinance;
- (3) a civil action is filed in the circuit or superior court in accordance with Section 18 of this Ordinance.

SECTION 3. Any order shall contain the following information:

- (1) the name of the person to whom the order is issued;
- (2) the legal description or address of the unsafe premises that are the subject of the order;
- (3) the action which the order requires to be accomplished;
- (4) the period of time in which the action is required to be accomplished measured from the time when the notice of the order is given;
- (5) a statement indicating the exact time and place of the hearing regarding the order; and that the person to whom the order was issued has a right to appear at the hearing with or without legal counsel and present evidence, cross-examine opposing witnesses, and make argument;
- (6) a statement briefly indicating what action can be taken by the Unsafe Building Administrator if the order is not complied with;
- (7) a statement indicating the obligation created by Section 11 of this Ordinance relating to notification of subsequent interest holders and the division of code enforcement;
- (8) the name, address, and telephone number of the Unsafe Building Administrator.

The order shall allow sufficient time in which to accomplish the required action. In no case shall less than ten (10) calendar days from the time when notice of the order is given be allowed for compliance with an order.

In the instance where more than thirty (30) calendar days are allowed by the order to accomplish the action the order may require that a substantial beginning be made in accomplishing the action within a period of (30) calendar days.

SECTION 4. If service of the order is by publication, the publication shall include the information required by subsections (1), (2), (3), (4), (5), (6), and (8) of Section 3 of this Ordinance and also a statement indicating generally what action is required by the order and that the exact terms of the order may be obtained from the Unsafe Building Administrator.

SECTION 5. The Unsafe Building Administrator may issue an order to a person which has the effect of modifying the order previously issued to that person.

If service of the previously issued order was by publication it shall be sufficient to serve the subsequent order by publication unless the Unsafe Building Administrator has received information in writing that would enable it to make service in accordance with Section 7 of this Ordinance by a method other than publication.

SECTION 6. The Unsafe Building Administrator may at any time rescind an order. All persons who have been issued an order shall be notified of its rescission pursuant to Section 7 of this Ordinance by means of a written statement which shall include the following information:

- (1) the name of the person to whom the statement of rescission of order is issued;
- (2) the legal description or address of the unsafe premises that are the subject of the order being rescinded;
- (3) the substance of the order being rescinded;
- (4) a statement that the order is being rescinded;
- (5) the name, address, and telephone number of the Unsafe Building Administrator.

If service of the statement of rescission is by publication, the publication shall include the information provided above.

If service of the order being rescinded was by publication it shall be sufficient to serve the statement of rescission by publication unless the Unsafe Building Administrator has received information in writing that would enable it to make service in accordance with Section 7 of this Ordinance by a method other than publication.

SECTION 7. (a) Notice of orders (including orders which have the effect of modifying a previous order), notice of statements of rescission, notice of continued hearings, and notice that a hearing may be held on the amounts indicated in the record shall be given to all persons to whom directed by the following manner of service:

- (1) sending a copy of the order or statement by registered or certified mail to the residence or place of business or employment of the person to be notified with return receipt requested; or
- (2) delivering a copy of the order or statement personally to the person to be notified; or
- (3) leaving a copy of the order or statement at the dwelling house or usual place of abode of the person to be notified.
- (b) In the event service is not obtained by a means described above after reasonable effort, service may be made by publishing a notice of the order or statement at least two (2) times in a newspaper authorized by law to publish notices, which is published in the county where the unsafe premises are located. Publication may be made on consecutive days.
- (c) When service is made by any of the means described in this section except by mailing or by publication, the person making service shall make an affidavit stating that he has made the service, the manner in which made, to whom the order or statement was issued, the nature of the order or statement, and the date of service. The affidavit shall be placed on file in the office of the Unsafe Building Administrator.
- (d) The time when notice of the order or statement is deemed given is as follows:
 - (1) in case of personal delivery or leaving at the dwelling house or usual place of abode, the day when the order or statement is delivered to the place of abode;
 - (2) in the case of mailing, the date shown on the return receipt, or if no date is shown, the date when the return receipt is received by the Unsafe Building Administrator;
 - (3) in the case of publication, the date of the second day that publication was made.

SECTION 8. A hearing shall be held relative to each order. The hearing shall be conducted by the City-County Minimum Housing Department Board. The Board however, may designate a person to act as its representative to conduct the hearing.

The hearing shall be held on a business day no earlier than ten (10) calendar days after notice of the order is given. The Board may, however, take action at a hearing to continue the hearing relative to the order so that it will be held on a later business day. Unless the Board takes action to

have the continued hearing held on a definite, specified date, notice of the hearing shall be given to the person to whom the order was issued at least five (5) calendar days before the hearing date in the manner provided by Section 7 of this Ordinance. If the order which is being considered at the hearing was served by publication, it shall be sufficient to give notice of the continued hearing by publication unless the Unsafe Building Administrator has received information in writing that would enable him to make service in accordance with Section 7 of this Ordinance by a method other than publication.

The person to whom the order was issued, or any person having a substantial property interest in the unsafe premises which are the subject of the order may appear in person or by counsel at the hearing. Such person shall have the opportunity to present evidence, cross-examine opposing witnesses, and make argument.

At the conclusion of any hearing at which a continuance is not granted the Board may, irrespective of whether such person does or does not appear at the hearing, make findings and take action to either:

- (1) affirm the order, or
- (2) rescind the order, or
- (3) modify the order, Provided, however, That unless the person to whom the order was issued, or counsel for such person, is present at the hearing, any such modification must be made in such manner as to make its terms less stringent.

If a person to whom an order has been issued requests at a hearing a period of time to accomplish action beyond that time stated in the order, the Board may, as a condition for modifying the order to allow the additional time period, require that the person post a cash performance bond to be forfeited in the event that the ordered action is not completed within the additional time period allowed. The amount of such bond shall be equal to thirty per cent (30%) of the value of the services and materials required to accomplish the ordered action.

The record of the findings made and action taken by the Board at the hearing shall be available to the public upon request. No provision in this Ordinance shall be construed to require affirmative action by the Unsafe Building Administrator or the Board to give notice of the findings made and action taken by the Board at the hearing to the person to whom the order was issued, or any other person.

SECTION 9. An action taken to affirm, rescind or modify an order in accordance with Section of this Ordinance shall be subject to review by the circuit or superior court of Allen County in which the unsafe premises are located. The review shall be initiated by a verified complaint which shall include the findings of fact and the action taken by the Board. Such complaint must be filed within a period of ten (10) calendar days after the date when action was taken by the Board.

The following persons shall have the right to request judicial review:

- (1) any person who has a substantial property interest in the unsafe premises which were the subject of the order reviewed by the Board;
- (2) any person to whom the order was issued that was reviewed by the Board.

The appeal shall be an action de novo, and shall take precedence over other pending litigation. There shall be no change of venue from the county. The court may affirm, modify, or reverse the action taken by the Board.

SECTION 10. Orders issued in accordance with Sections 2 or 5, statements or rescission issued in accordance with Section 6, statements that public bids are to be let as provided in Section 14, and records of action taken by the Board in accordance with Section 8 of this Ordinance shall be recorded in the office of the recorder of the county by the Unsafe Building Administrator at no charge.

Any person who takes an interest in the unsafe premises which are the subject of an order, shall, irrespective of whether or not a hearing has been held, take the interest subject to the terms of the order and specifically in such a manner that all of the requirements of Section 14 relating to the issuance of orders, service of orders and affirmation of orders are deemed satisfied and all of the requirements of Section 18 relating to issuance of orders and affirmation of orders are deemed satisfied. In the instance however, where an interest is taken in the unsafe premises relative to which a hearing has been held such person shall take the interest subject to the terms of the order as modified at the hearing and specifically in such a manner that all or the requirements of Section 14 relating to the issuance of orders and modification of orders at hearing are deemed satisfied and all of the requirements of Section 18 relating to the issuance of orders and modification of orders at hearing are deemed satisfied.

A person who takes an interest in an unsafe premises which are the subject of a statement that public bids are to be let, shall take the interest subject to the terms of such statement and specifically in such a manner that the notice of such statements required by Section 13 of this Ordinance is deemed given to such person.

SECTION 11. Any person who has been issued and received notice of an order relative to the unsafe premises, shall, if the order has not been complied with:

- (1) supply full information regarding the order to any person who may take or agree to take a substantial property interest in the unsafe premises. This information shall be supplied prior to the time when there is any transfer or agreement to transfer any substantial property interest in the unsafe premises;

- (2) supply the following information to the Unsafe Building Administrator in writing within five (5) calendar days after there is any transfer or agreement to transfer a substantial property interest in the unsafe building:
 - (a) the full name, address, and telephone number of the person taking a substantial property interest in the unsafe premises; and
 - (b) a true and accurate copy of the legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

SECTION 12. If in any instance the Unsafe Building Administrator shall find that it is necessary to take emergency action with reference to an unsafe premises in order to protect life, safety, or property to be performed without issuing an order or giving notice.

Such emergency action shall be limited to removing any immediate danger. The costs incurred by the Unsafe Building Administrator in taking or having such action taken may be recovered against the persons who have a fee interest or life estate interest in the unsafe premises by the filing of a civil action in the Circuit or Superior Court of Allen County by the County of Allen acting by and through the Unsafe Building Administrator. Costs of such an action shall not be borne by the City-County Building and Minimum Housing Department.

SECTION 13. In accordance with Section 18, a receiver may be appointed by a court of competent jurisdiction relative to an unsafe premises subject to the following provisions:

- (a) The purpose of the receivership shall be to take possession of the unsafe premises for a period of time sufficient to accomplish and pay for repairs and improvements.
- (b) The receiver may be a not-for-profit corporation whose primary purpose is the improvement of housing conditions in the City of Fort Wayne or in Allen County outside said City or the receiver may be any capable person residing in said City or in said County outside said City.
- (c) The receiver shall collect and use the rents and the other income of the unsafe premises despite any prior assignments thereof, to repair or remove the defects as required by the order, and may upon approval by the court make repairs and improvements in addition to those specified in the order or required by the applicable statutes, ordinances, codes or regulations.
- (d) The receiver shall have the power to make any contracts and do all things necessary to accomplish the repair and improvement of the unsafe premises.
- (e) The court may after hearing authorize the receiver to obtain moneys needed to accomplish the repairs and improvement by the issuance and sale of notes or receivers' certificates bearing such interest as the court may fix. The notes or certificates shall be a first lien upon the unsafe building and the real estate on which the unsafe building is located and on the rents and income thereof, and shall be superior to all existing assignments of rents, or liens, mortgages or other encumbrances on the property except taxes, Provided That within sixty (60) days following the sale or transfer for value of the notes by the receiver the holder thereof shall contain the following information:
 - (1) the legal description of the tract of real estate on which the unsafe building is located;
 - (2) the face amount and interest rate of the note or certificate;
 - (3) the date when the note or certificate was sold or transferred by the receiver;
 - (4) the date of maturity.

Upon payment to the holder of the receiver's note or certificate of the face amount and interest, and upon filing in the recorder's office of a sworn statement of payment, the lien of such certificate shall be released. Upon failure of payment, the lien may be enforced by proceedings to foreclose as in the case of mechanic's liens or mortgages, however, such suit must be commenced within two (2) years after the date of default.

The receiver shall be entitled to the same fees, commissions and necessary expenses as are receivers in actions to foreclose mortgages and said fees, commissions, and expenses shall be paid out of the rents and incomes of the property in receivership.

SECTION 14. (a) The Unsafe Building Administrator may cause the action required by an order to be performed by a contractor if the following has occurred:

- (1) an order has been issued to each person having a substantial property interest in the unsafe premises; and
- (2) service of an order in the manner provided by Section 7 of this Ordinance has been made on each person having a substantial property interest in the unsafe premises which are the subject of the order; and
- (3) each of the orders have been affirmed or modified at hearing in such manner that all persons having a substantial property interest in the unsafe premises which are the subject of the orders are currently subject to an order requiring the accomplishment of substantially identical action; and
- (4) the order, as affirmed or modified at the hearing, has not been complied with, or, having once been complied with, is not now being complied with; and
- (5) the order is not being reviewed in accordance with Section 9 of this Ordinance.

- (b) Such work shall be let out at public bid in the same manner, and pursuant to the statutes governing contracts of counties for public improvements, by the Board of Commissioners of Allen County, upon written request of the Unsafe Building Administrator to a contractor licensed and duly qualified under the laws of the State of Indiana and any applicable municipal ordinances.
- (c) All persons with a substantial property interest in the unsafe building shall be notified about the public bid in accordance with Section 7 of this Ordinance by means of a written statement, which shall include the following information:
 - (1) the name of the person to whom the order was issued;
 - (2) a legal description or address of the unsafe premises that are the subject of the order;
 - (3) a statement that a contract is to be let at public bid to a licensed contractor to accomplish work to comply with the order;
 - (4) a description of work to be accomplished;
 - (5) a statement that both the bid price of the licensed contractor who accomplishes the work and an amount representing a reasonable estimate of the cost incurred by the County in processing the matter of the unsafe premises, may, if not paid, be recorded after a hearing as a lien against all persons having a fee interest or life estate interest in the unsafe premises;
 - (6) a statement that the owner has the right to elect in writing within a period of five (5) calendar days to retain any or all materials salvaged from the work;
 - (7) the time of the bid opening;
 - (8) the place of the bid opening;
 - (9) the name, address and telephone number of the Unsafe Building Administrator.
- (d) If service of the notice of statement that public bids are to be let is by publication, the publication shall include the information provided for in subsection (c) except that it need only include a general description of the work to be accomplished. The publication also shall include a statement that a copy of the statement of public bid may be obtained from the County Auditor.
- (e) Notice of the statement that public bids are to be let shall be given to all persons having a substantial property interest in the property at least ten (10) calendar days before the date of the public bid.
- (f) Persons having a substantial property interest in the unsafe premises which are the subject of a statement that public bids are to be let may, five (5) calendar days after they have received notice of such statement, elect by sending a statement, in writing to the Unsafe Building Administrator to retain any or all of the materials resulting or salvaged from such work. In the absence of such a statement, the Unsafe Building Administrator may decide the method of disposal of such materials.
- (g) If action in accordance with this section is being taken on the basis of an order which was served by publication, it shall be sufficient to serve the statement that public bids are to be let by publication unless the Unsafe Building Administrator has received information in writing that would enable him to make service in accordance with Section 7 of this Ordinance by a method other than publication.

SECTION 15. When action required by an order is performed by a contractor in accordance with Section 14 of this Ordinance; any person or persons who have a fee interest or life estate interest in the unsafe premises shall be obligated to pay the following costs:

- (1) The bid price of work accomplished by the contractor in accordance with Section 14 of this Ordinance;
- (2) An amount which represents a reasonable forecast of the average processing expense which will be incurred by the County in taking all the technical, administrative and legal actions relative to a typical unsafe premises which are necessary under this Ordinance so that the action required by an order may be performed by a contractor in accordance with Section 14. In calculating the amount of the average processing expense, the following costs may be considered:
 - (a) obtaining reliable information about the identity and location of persons who own a substantial property interest in the unsafe premises;
 - (b) accomplishing notice of orders, notice of statements of rescission, notice of continued hearing, and notice of statements that public bids are to be let and notice that a hearing may be held on the amounts indicated in the record in accordance with Section 7;
 - (c) salaries for employees;
 - (d) supplies, equipment, and building space.

The amount of such average processing expense shall be determined by the City-County Building and Minimum Housing Department Board at a public hearing relative to which notice has been given in the same manner as is required for other official action of the Board. The Board shall take action to fix such average processing expense for a specified period of time in the future not less frequently than once every twelve (12) months. In determining such average processing expense, it shall be acceptable to fix the amount at a full dollar amount, which is an even multiple of ten (10).

If all or any part of the bid price and the applicable average processing expense remain unpaid relative to any unsafe premises after a period of (30) thirty days has elapsed after the completion of the work by the contractor, the administrator shall prepare a record which shall state the name or names and last known address of all persons who have a fee interest or life estate interest in the un-

safe premises, the legal description or address of the unsafe premises that were the subject of work by the contractor, the nature of the work that was accomplished by such contractor, the amount of the unpaid bid price of the work that was accomplished by the contractor, and the amount of the unpaid average processing expense.

This record shall be in form prescribed by or approved by the State Board of Accounts. The Administrator shall swear to the accuracy of the record prepared by him before the Clerk of the Circuit Court and shall thereupon deposit the record in the office of the Clerk of the Circuit Court. Notice that the record has been filed and that a hearing on the amounts indicated in the record may be held shall be sent to the person or persons named in the record, as provided in Section 7 of this Ordinance. If within thirty (30) days of that notice, the Clerk of the Circuit Court has received a written petition from the person named in the record, objecting to the amounts recorded and requesting a hearing, the Clerk of the Circuit Court shall enter the cause on the docket of the Court as a civil action and a fair hearing on the question shall be held, pursuant to the provisions of IC 1971, 4-22-1, the Administrative Adjudication Act. At the conclusion of the hearing on the petition, the court shall either sustain the petition or enter a judgment for the amounts recorded or modified amounts against the person or persons named in the record. If no petition is received at the end of thirty (30) days after notice to the person or persons named in the record, the amounts stated in the record shall constitute a debt and be a lien on all the real and personal property of the person or the joint and several debt and lien on the real and personal property of the persons named. Such lien on any real property shall be perfected as against all creditors and purchasers when the judgment is entered on the judgment docket of the Court. Such lien on personal property shall be perfected by filing a lis pendens notice in the appropriate filing office as prescribed in Trial Rule 63.1 of the Indiana Rules of Procedure. Any judgments rendered under this section may be enforced in the same manner as all other judgments are enforced.

SECTION 16. (a) A fund designated as the "Unsafe Building Fund" shall be established in the operating budget of the City-County Building and Minimum Housing Department. Any balance remaining at the end of any fiscal year shall be carried over in the fund for the following year and shall not revert to the general fund.

- (b) Moneys for such fund may be received from any source, including appropriation by a municipal, state or federal legislative authority, and donations.

The following moneys shall be deposited in such fund:

- (1) moneys received as payment for or settlement of obligations or judgments created in accordance with Sections 12, 14, 15, and 18 of this Ordinance.
 - (2) moneys received from bonds posted in accordance with Section 8 of this Ordinance,
 - (3) moneys received in satisfaction of receivers notes or certificates issued in accordance with Section 13 of this Ordinance, which were purchased with use of moneys from the unsafe building fund.
- (c) Moneys included in the unsafe building fund may be used for the purposes directly related to the carrying out of any provisions of this Ordinance which shall include, by way of example and not of limitation:
- (1) The cost of obtaining reliable information about the identity and location of persons who own a substantial property interest in an unsafe premises.
 - (2) The cost of an examination of an unsafe building by a registered architect or registered engineer not employed by the City-County Building and Minimum Housing Department.
 - (3) The cost of surveys necessary to determine the location and dimensions of real estate on which an unsafe building is located.
 - (4) The cost of accomplishing notice of orders, notice of statements of rescission, notice of continued hearing and, notice of statements that public bids are to be let in accordance with Section 8 of this Ordinance.
 - (5) The bid price of work accomplished by a contractor in accordance with Section 14 or Section 18 of this Ordinance.
 - (6) The cost of accomplishing work on an emergency basis in accordance with Section 12.
 - (7) The cost of notes or receiver certificates issued in accordance with Section 13.
- (d) Payment of moneys from the unsafe building fund shall be made in accordance with applicable law.

SECTION 17. (a) In those cases in which the owners or those in possession of a building refuse inspection, the Unsafe Building Administrator or his authorized inspector may obtain an inspection warrant from any court of record in the county in which the Building is located in order to determine if the building is an unsafe building. The court shall issue the warrant subject to the following:

- (1) the person seeking the warrant must establish that the building to be searched or inspected is to be searched or inspected as part of a legally authorized program of inspection which naturally includes that building or that there is probable cause for believing that there is a condition, object, activity or circumstance which legally justifies such a search or inspection of that building;
 - (2) an affidavit indicating the basis for the establishment of one (1) of the grounds described in (1) above must be signed under oath or affirmation by the affiant;
 - (3) the issuing official must examine the affiant under oath or affirmation to verify the accuracy of the matters indicated by the statement in the affidavit.
- (b) The warrant shall be validly issued only if it meets the following requirements:

- (1) it must be signed by the issuing official and must bear the date and hour of its issuance above his signature with a notation that the warrant is valid only forty-eight (48) hours following its issuance;
 - (2) it must describe, either directly or by reference to the affidavit the building where the search or inspection is to occur and be accurate enough in description so that the executor of the warrant and owner or the possessor of the building can reasonably determine from it what property the warrant authorizes an inspection of;
 - (3) it must indicate the conditions, objects, activities or circumstances which the inspection is intended to check or reveal;
 - (4) It must be attached to the affidavit required to be made in order to obtain the warrant.
- (c) Any warrant issued under this section for a search or inspection shall be valid for only forty-eight hours after its issuance, must be personally served upon the owner or possessor of the building and must be returned within seventy-two (72) hours.

SECTION 18. The City-County Building and Minimum Housing Department, acting by and through its Unsafe Building Administrator may initiate a civil action in the name of the County in the Circuit or Superior Court of Allen County with regard to an unsafe premises. Costs of such an action shall not be borne by the department. The Circuit or Superior Court may, as is appropriate, grant one (1) or more of the following kinds of relief in such an action:

- (1) If the following is shown, grant a mandatory or prohibitory injunction against any person that will cause the order to be complied with:
 - a. an order was issued to the person; and
 - b. the person has a property interest in the unsafe premises that are the subject of the order that would allow the person to take the action required by the order; and
 - c. the Board has taken action at a hearing either to affirm or modify the order; and
 - d. the building which is the subject of the order is an unsafe building; and
 - e. the order, as affirmed or modified at hearing, has not been complied with, or, having once been complied with, is not now being complied with; and
 - f. the order is not being reviewed in accordance with Section 9.
- (2) Impose a civil forfeiture not to exceed one thousand dollars (\$1,000) against any person if the provisions of subsection (1) of this section are shown.

No forfeiture shall be imposed which is substantially less than the cost of complying with the order unless such cost exceeds one thousand dollars (\$1,000). The effective date of such forfeiture may be postponed for a period not to exceed thirty (30) days after which the court may order the forfeiture reduced or stricken if it is satisfied that all work necessary to fully comply with the order has been completed.

On request of the Unsafe Building Administrator the court shall enter a judgment in the amount of the civil forfeiture. In any instance where there is more than one (1) party defendant, the civil forfeiture shall be separately applicable to each defendant.

The amount of any civil forfeiture which is collected shall be deposited in the unsafe building fund.

- (3) Appoint a receiver as provided in Section 13 of this Ordinance.

The issuance of an order relative to such unsafe premises is not a prerequisite to the appointment of a receiver. If an order has been issued relative to such unsafe premises it shall not prevent the appointment of a receiver.

In any case in which the Unsafe Building Administrator requests the appointment of a receiver, all persons having a substantial property interest in the unsafe premises shall be made party defendants.

- (4) If the following is shown, authorize the county, acting by and through the Unsafe Building Administrator, to cause the action required by the order to be performed by a contractor licensed and qualified under applicable state law and municipal ordinances:
 - a. an order was issued to each person having a substantial property interest in the unsafe premises; and
 - b. each of the orders have been affirmed or modified at hearing in such manner that all persons having a substantial property interest in the unsafe premises which are the subject of each of the orders are currently subject to an order requiring the accomplishment of substantially identical action; and
 - c. the order, as affirmed or modified at the hearing, has not been complied with, or, having once been complied with, is not now being complied with; and
 - d. the building which is the subject of the order is an unsafe building; and
 - e. the order is not being reviewed in accordance with Section 9.

In any case in which the Unsafe Building Administrator requests authority to cause the action required by the order to be performed by a contractor all persons having a substantial property interest in the unsafe premises shall be made party defendants.

The cost of accomplishing the work and the processing expenses incurred by the Unsafe Building Administrator computed in accordance with the provisions of Section 15 of this Ordinance may after a hearing both be entered by the court as a judgment against persons having a fee interest or life estate interest in the unsafe premises.

SECTION 19. Any person who shall remain in, use or enter any building in violation of an order; or wilfully interfere with or delay the carrying out of any order; or violate any provision of this Ordinance by wilfully obstructing, delaying, damaging, injuring, or interfering with any persons engaged or property used in performing any work or duty under or authorized by this Ordinance; or fail to comply with the requirements of Section 11 of this Ordinance, shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not to exceed five hundred dollars (\$500), and each day that the violation shall continue to exist, or each distinct repetition of any violation, shall constitute a separate offense.

SECTION 20. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed, and this Ordinance shall be in full force and effect immediately upon its adoption.

SECTION 21. This Ordinance shall not affect any pending litigation or rights or obligations which have accrued under ordinances existing at the time of the adoption hereof.

SECTION 22. If any provision of this Ordinance or the application thereof to any person or circumstance is invalid, which invalidity shall not effect the other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional for any reason, the remainder of said Ordinance shall not be affected thereby.

SECTION 23. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-14-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974 at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-19

SPECIAL ORDINANCE NO. S-75-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Phenie Street Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated April 15, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC., for:

City's share for paving and sewer installation on Phenie St., as
set forth in Agreement with Essex International, Inc. \$11,674.20

all as more particularly set forth on Purchase Order No. 3-24111, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-75-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-20

SPECIAL ORDINANCE NO. S-76-74

AN ORDINANCE approving a contract with
MANNING ENVIRONMENTAL CORP. for materials
for W.P.C. Engineering Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated March, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and MANNING ENVIRONMENTAL CORP., for:

Materials for use by W.P.C. Engineering Department for the Infiltration
Inflow Analysis required by E.P.A. \$4,264.20

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 3828, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things, ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-76-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor

BILL NO. S-74-05-21

SPECIAL ORDINANCE NO. S-77-74

AN ORDINANCE approving a contract with
NIEMEYER CORP. for water main extension
in Tillman Road Hessen Cassel area
(Trier Ridge Park)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The water contract dated April 9, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and NIEMEYER CORP. for the construction of a water main, as follows:

From the existing water main on the Tillman Road, 27±feet west of the east property line of Hessen Cassel Road, eastward 1360±feet to the existing water main 9±feet east of the west property line of Gathings Dr.

for a total cost of \$20,141.20, of which \$10,461.55 will be paid by water utility, all as more particularly set forth in Water Contract No. 7327, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kruas, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-77-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-22

SPECIAL ORDINANCE NO. S-78-74

AN ORDINANCE approving a contract with
GRAYBAR ELECTIC COMPANY for materials for
street lighting

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated April 22, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and GRAYBAR ELECTRIC COMPANY, for:

Aluminum Pole, Anchor Base and Fixtures for Light Construction \$15,377.00

all as more particularly set forth on City Utilities Purchase Order No. 4110, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns, Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-78-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-23

SPECIAL ORDINANCE NO. S-79-74

AN ORDINANCE approving CITY UTILITIES
PURCHASE ORDER NO. 4030 with UNITED STATES
STEEL SUPPLY for the purchase of chain
link fence for Avondale substation.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated April 10, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and UNITED STATES STEEL SUPPLY, for

465 ft. Chain Link Fence	
16 feet Double Gates	\$2,849.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 4030, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 5-28-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-79-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor

BILL NO. S-74-05-24

SPECIAL ORDINANCE NO. S-80-74

AN ORDINANCE approving an Agreement for construction of a sanitary sewer extension on Kinnerk Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement dated May 2, 1974 between ALFRED J. and HANNAH F. ZACHER, and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for the construction of a sanitary sewer as follows:

Commencing at an existing manhole in Kinnerk Road 4 feet West of the East right of way line and 225± feet North of the Northeast property corner of lot #32 in Allison's Sub. Add. thence, Southerly along the East right of way of Kinnerk Road, a distance of 310± feet, terminating at a proposed manhole

for a total cost to be paid by the Developer, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into said sewer covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its rights to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation to said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Moses

Date: 5-28-74

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-80-74 on the 28th day of May, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of May, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 29th day of May, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-28

SPECIAL ORDINANCE NO. S-81-74

AN ORDINANCE approving a contract with A. GROSJEAN & SON for Kelly Drive Curbwalk

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between A. GROSJEAN & SON, and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

Construction of curbface walk on both sides of Kelly Drive from the north property line of Spring Street to the south property line of Huffman Street

for a total cost of \$8,162.75, of which the City will pay \$4,481.75, the balance of \$3,681.00 to be paid by the property owners under Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-81-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-29

SPECIAL ORDINANCE NO. S-82-74

AN ORDINANCE approving a contract with
MAUMEE CONSTRUCTION CORPORATION for side-
walk repairs in Lafayette Place

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between MAUMEE CONSTRUCTION CORPORATION and the City of Fort Wayne, by and through its Mayor and the Board of Public Works for:

Repairing and replacing sidewalks in an area bounded on the north by McKinnie Avenue, on the east by Lafayette Street, on the south by Pettit Avenue and on the west by Calhoun Street

for a total cost of \$42,277.75, of which the City will pay \$10,534.85, the balance of \$31,742.90 to be paid by the property owners under Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-82-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-30

SPECIAL ORDINANCE NO. S-83-74

AN ORDINANCE approving a certain bid document with HEFNER CHEVROLET and DUTHLER FORD for Fire Department vehicles.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 586 dated May 9, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners as follows:

HEFNER CHEVROLET, INC. P. O. 3-24734-H	
One (1) Four-Door Sedan	\$3,990.62
DUTHLER FORD - P. O. 3-24735-H	
Two (2) Four Door Sedans with trade ins	<u>5,849.92</u>
TOTAL	\$9,840.54

as more specifically set forth in said Ref. No. 586 and said Purchase Order Numbers, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things, ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-83-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-33

SPECIAL ORDINANCE S-84-74

AN ORDINANCE approving a contract with
HIPSKIND ASPHALT CORPORATION for im-
provements in Lincoln Life Project area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between HIPSKIND ASPHALT CORPORATION and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

Improvements to existing curbs, sidewalks, street pavements, street lighting, alleys and drainage structures in an area bounded by Anthony Boulevard, Lewis Street, Ohio Street and Maumee Avenue

for a total cost of \$103,992.70 to be paid from Redevelopment Revenue Sharing, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-84-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-54

SPECIAL ORDINANCE NO. S-Lost
AN AMENDMENT TO AMENDED SPECIAL ORDINANCE NO.
S-84-73 FIXING THE SALARIES OF EACH AND EVERY
APPOINTIVE OFFICER, EMPLOYEE, DEPUTY, ASSISTANT,
DEPARTMENTAL AND INSTITUTIONAL HEAD OF THE CITY
OF FORT WAYNE, INDIANA FOR THE YEAR 1974, AND
REPEALING SECTION 2 THEREOF.

WHEREAS, Section 2 of Amended Special Ordinance No. S-84-73 provides for a Salary Review Board which Board among other persons is composed of the Finance Committee of the Common Council of the City of Fort Wayne; and

WHEREAS, it is the desire of said Common Council and in the best interest of conducting the councilmanic business that the President of the Common Council of the City of Fort Wayne, Indiana be added to said Salary Review Board.

THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE THAT:

SECTION 1. From and after the passage of this Ordinance and approval by the Mayor the following amendment shall be in force and effect:

SECTION 2 of the Amended Special Ordinance S-84-73 is hereby repealed in its entirety and the following shall be substituted therefor.

"SECTION 2. There is hereby established a Salary Review Board, which Board shall consist of the Mayor of the City of Fort Wayne, the Controller of said City, the Personnel Director of said City, the President of the Common Council of said City and the Finance Committee of the Common Council of said City, the three (3) members of the aforesaid Salary Review Committee and a representative of the news media. The Personnel Director of said City shall serve as ex officio chairman of said Salary Review Board and shall call meetings of the Board from time to time as the business of said Board requires. The Mayor shall select the representative of the news media who shall attend each meeting of said Board and he may select a different representative for each meeting. Said representative may take part in the discussions of said Board but shall have no vote.

The Salary Review Board shall (a) establish any and all sub-classifications within classifications 11 through 20 and any classifications which may be hereafter added; (b) approve all compensation fixed by this 1974 Salary Ordinance; and (c) approve any future increases in the compensations fixed herein.

There shall be no such sub-classifications established, no compensation fixed herein, and no increases in the compensation fixed herein unless such action has the approval of the majority of the group consisting of said President of said Common Council and said Common Council Finance Committee or their valid proxy at the meeting of said Salary Review Board where such action is taken. The person or persons holding the proxy of said President of said Common Council, or said Common Council Finance Committee shall be a member of said Common Council selected by said President of said Common Council, if absent from said meeting, or by the member of said Finance Committee who is absent from said meeting.

The Salary Review Board shall function for the remainder of the year 1974 and for the calendar year 1975.

All meetings shall be held after 7:00 o'clock P.M. for each meeting, and notice of each meeting shall be given in writing to the City Clerk at least 48 hours prior to each said meeting."

SECTION 3. In all other respects except as herein amended, Amended Ordinance S-84-73 shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt

Nays: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico

Date: 6-11-74

Charles W. Westerman
City Clerk

BILL NO. Z-73-05-22

ZONING MAP ORDINANCE NO. Z-11-74

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. All, B11

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. All, B11 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Commence at a point 610' West of a stone corner established on a bank of a canal which point is on North line of land owned by Nelson Leonard, and on the West bank of the Feeder Canal in the S.W. Quarter of Sec 25 Twp. 31, 12 East thence West 220' to stone corner thence south 181.5' to a stone corner East parallel with North line 220' thence north parallel with West line 181.5' to the place of beginning in Allen County, Indiana, except all legal road and highway

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-11-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-05-20

ZONING MAP ORDINANCE NO. Z-12-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E-7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. E-7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The West 82 feet of the South 270 feet of Lot No. 3 in J.H. FEICHTER'S GARDEN VIEW ADDITION to the City of Fort Wayne.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-12-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-03-19

ZONING MAP ORDINANCE NO. Z-13-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. AA5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BIA district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. AA5, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Bauers 1st Sub Lots 12 & 13 & 14 near Sherman and Spring

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map No. Z-13-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-04-16

ZONING MAP ORDINANCE NO. Z-14-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. CC2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Number 6 in Rietdorfs Addition to the City of Fort Wayne, Indiana
Commonly known as 2610 Brooklyn Avenue

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following votes:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-14-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-10-52

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. JJ2 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 6-11-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-04-14

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. A9 have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance BE WITHDRAWN.

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

Concurred in 6-11-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-04-15

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C 5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BIA District under the terms

of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C 5, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot # B - Lake Side Park Addition, commonly known as 1225 Rivermet

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None

Nays: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 6-11-74

Charles W. Westerman
City Clerk

BILL NO. G-74-05-47 (AMENDED)

GENERAL ORDINANCE NO. G-17-74

AN ORDINANCE amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, by adding thereto "Article X, Flood Plain Management and Control."

WHEREAS, the flood hazard areas of Fort Wayne, Indiana are subject to loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety, and general welfare; and,

WHEREAS, these flood losses are caused by (1) cumulative effect of obstructions in flood heights and velocities; (2) the occupancy of flood hazard areas by uses vulnerable to floods or hazardous to other lands are inadequately elevated or otherwise protected from flood damages; and,

WHEREAS, to push back the cost of floods, national and state policy on flood management has shifted from a primary emphasis on structural controls to a balance between structural and regulatory controls.

NOW THEREFORE, BE IT ORDAINED, BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1964, as amended, is hereby amended by adding thereto the following Article:

ARTICLE X - Flood Plain Management and Control

SECTION 40. General Criteria For Flood Plain Regulations.

- A. Objectives - the objective of these criteria are to provide a uniform basis for the preparation and implementation of sound flood plain regulations for Fort Wayne's rivers and streams to:
- (1) Protect human life and health.
 - (2) Protect individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.
 - (3) Provide for public awareness of the flooding potential.
 - (4) Minimize public and private property damage.
 - (5) Minimize surface and ground-water pollution which will affect human, animal, or plant life.
 - (6) Control flood-plain uses such as fill, dumping, storage of material, structures, buildings, and any other works which acting alone or in combination with other existing or future uses which will cause damaging flood heights and velocities by obstructing flows and reducing valley storage.
 - (7) Control development which will, when acting alone or in combination with similar developments, create an unjustified demand for public investment in flood-control works by requiring that uses vulnerable to floods, including public facilities which serve such uses, shall be protected against flood damage at the time of initial construction.
 - (8) Control development which will, when acting alone or in combination with similar development, cause flood losses if public streets, sewer, water, and other utilities must be extended below the flood level to serve the development.
 - (9) Control development which will, when acting alone or in combination with similar development, create an additional burden to the public to pay the costs of rescue, relief, emergency preparedness measures, sandbagging, pumping and temporary dikes or levees.

- (10) Control development which will, when acting alone or in combination with similar development, create an additional burden to the public for business interruptions, factory closings, disruption of transportation routes, interference with utility services, and other factors that result in loss of wages, sales, production, and tax write offs.
- (11) Help maintain a stable tax base by the preservation or enhancement of property values for future flood-plain development. In addition, development of future flood-blight areas on flood plains will be minimized and property values and the tax base adjacent to the flood plain will be preserved.

SECTION 41. Definitions - Whenever used or referred to in this Ordinance unless a different meaning appears from the context:

- A. "Board" - Board of Zoning Appeals
- B. "Commission" - Fort Wayne City Plan Commission
- C. "Flood" or "Flood Water" - means the water of any river or stream in the State or upon or adjoining any boundary line of the State which is above the bank and/or outside the channel and banks of such river or stream.
- D. "Flood Hazard Areas" - means those areas of the flood plain which have not been adequately protected from flooding by the regulatory flood by means of dikes, levees, reservoirs, or other works approved by the Commission.
- E. "Flood Plain" - means the area adjoining the river or stream which has been or may hereafter be covered by flood water.
- F. "Flood-Proofing" - a combination of structural provisions, charges, or adjustments to properties and structures subject to flooding primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures, and contents of buildings in a flood-hazard area.
- G. "Flood Protection Grade" - means the elevation of the lowest point around the perimeter of a building at which flood waters may enter the interior of the building.
- H. "Floodway" (FW) see (M) "Regulatory Floodway"
- I. "Floodway Fringe" (FF) - means those portions of the flood hazard areas lying outside the floodway.
- J. "General Flood-Plain District" (GF) see (D) "Flood Hazard Areas"
- L. "Obstruction" - any dam, wall wharf, embankment levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse, or regulatory flood-hazard area which may impede, retard, or change the direction of the flow of water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.
- K. "INRC" - The Indiana Natural Resources Commission
- M. "Regulatory Flood" - means that flood having a peak discharge which can be expected to be equaled or exceeded on the average of once in a one hundred year period, as calculated by a method and procedure which is acceptable to and approved by the Commission. This flood is equivalent to a flood having a probability of occurrence of one percent in any given year.
- N. "Regulatory Flood Profile" - means a longitudinal profile along the thread of a stream showing the maximum water surface elevations attained by the regulatory flood.
- O. "Regulatory Floodway" or "Floodway" - means the channel of a river or stream and those portions of the flood plains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.
- P. "River or Stream" - shall mean all open channels, whether natural, man-made, or notified by man, which carry or discharge water.

SECTION 42. Flood Hazard Area Delineation.

The areal extent of the flood hazard area shall include all land as indicated on maps supplied by the Army Corps of Engineers, the Soil Conservation Service and the Department of Housing and Urban Development. The regulatory floodway, floodway fringe, the peak discharge and the flood profile shall be determined by the INRC utilizing the best available technology and shall be approved by the Commission.

SECTION 43. Establishment of District Boundaries.

The mapped flood-hazard areas within the jurisdiction of this ordinance are hereby designated as the GENERAL FLOOD-PLAIN DISTRICT (GF). The boundaries of this district shall be shown on the official Zoning Map. Within this district all uses not permissible by right or as special-permit uses shall be prohibited.

SECTION 44. District Boundaries Changes Thereto.

The "General Flood-Plain District" shall be divided into a "Floodway (FW) and a "Floodway Fringe (FF) District" upon determination and delineation by the INRC and the Commission. When this division occurs the provisions outlined in Section 46 and 47 shall automatically take effect.

SECTION 45. General Flood Plain District. (GF)

- A. General Provisions and Uses. It is the intent of this ordinance to control and manage the uses of land in the General Flood Plain (GF) so as to meet the objectives identified and superimposed over the existing zoning districts. However, before an Improvement Location Permit can be issued for any permitted uses, the Zoning Enforcement Officer must ascertain whether said use or accompanying structure will be detrimental to the objectives identified in Section 40. A. (1) - (11).

- B. General Use Permit. All construction, building, alteration of structures or land, change of use, or initiation of a new use in the General Flood Plain will require a "general use permit" before the issuance of an Improvement Location Permit. This "General Use Permit" shall be granted by the Zoning Enforcement Officer.
- C. Procedures Being Followed Regarding Construction in General Flood Plain District.
- (1) All plans submitted to the Commission for either approval by the Commission or application for Improvement Location Permits will be checked against the official Zoning Map. If the site location falls within a flood hazard area a location map and letter will be submitted to the INRC for their recommendation. Until comment is received from the INRC NO action will be taken by the Commission.
 - (2) Based upon the technical evaluation of the INRC, the Zoning Enforcement Officer shall determine the suitability of the proposed use in relation to the potential flood hazard. If he finds the proposed use suitable, he will issue a "General Use Permit". Upon issuance of this permit an Improvement Location Permit shall be issued forthwith provided the other requirements of this ordinance have been satisfied.
- If upon receipt of comments by the INRC, he finds that the proposed use is unsuitable in relation to the potential flood hazard, he shall deny the application for a "General Use Permit". The applicant may then file for a hearing before the Commission if he so chooses. The applicant shall have the burden of proof to establish that the permit was wrongfully denied.

Both the Commission and the Zoning Enforcement Officer shall consider the factors listed in Section 46 D (2) when making their decision on the suitability of the proposed use.

SECTION 46. Floodway Districts. (FW)

- A. Permitted uses within a regulatory floodway district. The following land uses have acceptable low flood damage potential and shall not require a special permit for construction in the floodway, provided they do not involve any structure, obstruction, deposit, or excavations. This list is intended to include examples of open space uses which will not adversely affect the efficiency of or unduly restrict the capacity of the regulatory floodway and are reasonably tolerant of the presence of flood waters.
- (1) Agricultural uses such as the production of crops, pastures, orchards, plant nurseries, vineyards, and general farming.
 - (2) Forestry, wildlife areas, and nature preserves.
 - (3) Park and recreational uses, such as golf courses, driving ranges, and play areas.
- B. Special Exception Uses - Floodway Districts. The following uses of land may have unacceptable flood damage potential; involve structures, obstructions, deposits, or excavation which may adversely affect the efficiency of or unduly restrict the capacity of the regulatory floodway; constitute an unreasonable hazard to the safety of life or property; or result in unreasonable detrimental effects upon fish, wildlife, and botanical resources. These uses will require a "Special Permit" for construction in the Floodway as provided in "Special Permit" uses, of this ordinance. In general, these uses involve water management structures, transportation facilities, temporary or seasonal flood plain occupancy, or public, industrial, and commercial uses which are either dependent on their proximity to water or are reasonably open in nature and flood plain occupancy, or public, industrial, and commercial uses which are either dependent on their proximity to water or are reasonably open in nature and flood tolerant.
- (1) Water management and use facilities, such as dams, docks, dolphins, channel improvements, dikes, jetties, groins, marinas, piers, wharves, levees, seawalls, floodwalls, weirs, and irrigation facilities.
 - (2) Transportation facilities, such as streets, bridges, roadways, fords, airports, pipe lines, railroads, and utility transmission facilities.
 - (3) Temporary or seasonal flood plain occupancy, such as circus sites, fair sites, carnival sites, boat ramps, camps, roadside stands, and transient amusement facility sites.
 - (4) Water-related urban uses, such as wastewater treatment facilities, storm sewers, electrical generating and transmission facilities, and water treatment facilities.
 - (5) Other flood tolerant or open urban uses, such as flood-proofed industrial and commercial buildings, race tracks, tennis courts, park buildings, outdoor theaters, fills, truck freight terminals, radio or TV towers, parking lots, and mineral extractions.
- C. Standards for Floodway Special Use Permit Uses. All Uses. No structure (temporary or permanent), fill (including fill for roads and levees) deposit, obstruction, storage of materials or equipment, or other use may be allowed as a special exception use which, acting alone or in combination with existing or future uses, unduly affects the capacity of the floodway or unduly increases heights. Consideration of the effects of a proposed use shall be based on a reasonable assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream. In addition all floodway special-permit

uses shall be subject to the standards contained in Section 46 D (2) of this Article

D. Procedures for Development Within Floodway.

(1) Any use listed in this ordinance as requiring a special use permit may be allowed only upon application to the Zoning Enforcement Officer on forms furnished by him and the issuance of a "Special Permit". Upon receipt of the application the Zoning Enforcement Officer shall forthwith submit it to the Commission.

(2) Procedure to be followed by the Commission in passing on special permits. Upon receiving an application for a special permit involving the use of fill, construction of structures, or storage of materials, the Commission shall, prior to rendering a decision thereon; request and receive the recommendation of the INRC as to the suitability of the proposed use in relation to the flood hazard. In passing upon such applications, the Commission shall consider all relevant factors specified in other sections of this ordinance:

- a. The danger of life and property due to increased flood heights or velocities caused by encroachments.
- b. The danger that materials may be swept on to other lands or downstream to the injury of others.
- c. The proposed water supply and sanitation systems and the ability to these systems to prevent disease, contamination, and unsanitary conditions.
- d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- e. The importance of the services provided by the proposed facility to the community.
- f. The requirements of the facility for a waterfront location.
- g. The availability of alternative locations not subject to flooding for the proposed use.
- h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- i. The relationship of the proposed use to the comprehensive plan and flood-plain management program for the area.
- j. The safety of access to the property in times of flood or ordinary and emergency vehicles.
- k. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
- l. Such other factors which are relevant to the purposes of this ordinance.

E. Fill.

(1) Any fill proposed to be deposited in the floodway must be shown to have some beneficial purpose and the amount thereof not greater than is necessary to achieve that purpose, as demonstrated by a plan submitted by the owner showing the uses to which the filled land will be put and the final dimensions of the proposed fill or other materials.

(2) Such fill or other materials shall be protected against erosion by riprap, vegetation cover, or bulkheading.

F. Structures (temporary or permanent).

- (1) Structures shall not be designed for human habitation.
- (2) Structures shall have a low flood-damage potential.
- (3) The structure or structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of flood waters.
 - a. Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of the flow of flood waters.
 - b. So far as practicable, structures shall be placed approximately on the same flood-flow lines as those of adjoining structures.
- (4) Structures shall be firmly anchored to prevent flotation which may result in damage to other structures, restriction of bridge openings and other narrow sections of the stream or river; and,
- (5) Service facilities such as electrical and heating equipment shall be constructed at or above the regulatory flood-protection elevation for the particular area or flood-proofed.

G. Storage of Material and Equipment.

- (1) The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited.

- (2) Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

SECTION 47. Floodway-Fringe District. (FF)

- A. Floodway-Fringe District. All facilities, structures, and buildings normally found in a community, such as businesses, medical facilities, community and government buildings, industrial facilities, restaurants, commercial facilities, storage facilities, utility buildings, amusement facilities, residential buildings, and civic or fraternal facilities, may be constructed in a floodway fringe district provided that the flood protection grade for all buildings shall be at least at or above the regulatory flood profile and that the zoning shall be proper.
- B. Procedure. Before the issuance of an Improvement Location Permit, the Zoning Enforcement Officer shall determine that the proposed use meets the requirements and intent of this ordinance.

SECTION 48. Conditions Attached to "Special Permits".

Upon consideration of the factors listed above and the purpose of this ordinance, the Commission may attach such conditions to the granting of special permits and variances as it deems necessary to further the purposes of this ordinance.

SECTION 49. Nonconforming Uses.

All land uses now existing in flood hazard areas not in full compliance with this rule shall be considered a nonconforming use. Except for normal maintenance, any building which constitutes a nonconforming use may be altered, repaired, enlarged, or extended, provided such alterations, repairs, enlargements, or extensions do not increase the value of the building, excluding the value of the land, by more than fifty percent (50%) of its pre-improvement market value, and the alterations, repairs, enlargements, or extensions are not otherwise prohibited or restricted by state law or local ordinances. Any building which constitutes a nonconforming use which is damaged by flood, fire, explosion, act of God, or the public enemy, may be restored to its original dimensions and condition, provided the damage does not reduce the value of the land by more than fifty percent (50%) of its pre-damaged market value. Any repairs, alteration, enlargements, or extensions, of any existing nonconforming use which does not involve a building is subject to the provisions of this ordinance.

SECTION 50. Variances.

This ordinance promulgates standards and procedures essential to assure reasonable protection to present and future uses within the flood plain. However, there may be a need from time to time, to permit variances from these standards in particular cases within areas which are almost entirely developed. The Board may grant such variances only where the following conditions are met:

- (1) The structure or use is located on a lot of one half acre or less and is surrounded by existing structures; and,
- (2) Good and sufficient cause exists for granting the variance; and,
- (3) Failure to grant the variance would result in extreme hardship to the owners of the land; and,
- (4) All possible efforts are made to minimize potential flood damages.

If the Board grants a variance according to the above, it must give written notice to the applicant. This written notice shall include:

- (1) The fact that the proposed structure will be located in a flood prone area.
- (2) The number of feet that the lowest floor of the proposed structure will be below the 100-year level.
- (3) The fact that the flood insurance rates will be increased commensurate with the distance below the 100-year level.

This notice shall be attached to the building permit and must be displayed with it.

SECTION 51. Warning and Disclaimer of Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice or debris jams. This ordinance does not imply that area outside flood hazard areas, as defined herein, will be free from flooding or flood damages. This ordinance does not create liability on the part of the State of Indiana, the INRC, the Board, the Commission, or the City of Fort Wayne, or any elected or appointed official or employee thereof for any flood damages that result from reliance on this rule or any administrative decision lawfully made thereunder.

SECTION 52. Severability.

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

John Nuckols, Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-17-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-40

GENERAL ORDINANCE NO. G-15-74

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 2, Section 129 "Increasing State Speed Limits in Certain Zones" of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

SPEED LIMIT 40 MPH

Bluffton Rd. -- from Vesey Avenue to the south City limits.

SECTION 2. That Schedule 3, Section 170 "One-Way Streets and Alleys", by adding thereto to subparagraph (a) "Street" thereof the following:

ONE WAY STREETS

<u>STREET</u>	<u>DIRECTION</u>	<u>FROM</u>	<u>TO</u>
Wildwood Ave.	westbound	Broadway	Thompson Ave.
East Swinney Park East	northbound	Jefferson Blvd.	100'N/thereof
East Swinney Park West	southbound	Jefferson Blvd.	100'N/thereof
West Swinney Park South	eastbound	West Drive	East Drive
West Swinney Park East	northbound	South Dr.	North Drive
West Swinney Park North	westbound	East Dr.	West Dr.
West Swinney Park West	southbound	North Dr.	South Dr.
West Swinney Park Middle	northbound	South Dr.	North Dr.

SECTION 3. That Schedule 4, Section 171 "Through Street", by adding thereto the following:

THROUGH STREET

Tyler Ave. -- from Spring Street to State Boulevard

SECTION 4. That Schedule 5, Section 172 "Intersections Where Stop Required", by adding thereto the following:

STOP INTERSECTION

Glencarin Drive -- stop -- for Woodstock Drive

SECTION 5. That Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets", by adding thereto the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Hobson Rd.	both	State Blvd.	Coliseum Blvd.
Vance Ave.	south	Hobson Rd.	Sherborne Blve.
Kinnaird Ave.	north	Brooklyn Ave.	275' E/thereof

SECTION 6. That Schedule 8, Section 175 "Parking Prohibited During Certain Hours on Certain Streets", by adding thereto the following:

NO PARKING 3:00AM - 6:00PM EXCEPT SATURDAY AND SUNDAY

Calhoun St. - east side - from - 65 ft south of Brackenridge St. to 60 ft. south thereof

SECTION 7. That Schedule 11, Section 177 (b) "Parking Time Limited On Certain Streets", 90 Minute Parking 8:00AM to 6:00PM by adding thereto the following:

90 MINUTE PARKING 8:00AM - 6:00PM

Oxford St. - north side - from 20 ft. west of Monroe St. to 70 ft. west thereof.

SECTION 8. This Ordinance shall be in full force and effect from and after passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-15-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-49

GENERAL ORDINANCE NO. G-18-74

AN ORDINANCE confirming Declaratory Resolution No. R-13-74 and the execution of the policy thereof, and authorizing and directing the execution and performance of the contract for lease of the municipal electric utility system owned and operated by the City of Fort Wayne, Indiana, to Indiana & Michigan Electric Company

WHEREAS, the Common Council of the City of Fort Wayne, Indiana (Common Council) at its regular meeting held on March 12, 1974, adopted its Declaratory Resolution No. R-13-74 (hereinafter referred to as "Declaratory Resolution"), which included, and made a part thereof, the contract for lease of the municipal electric utility system, with certain exceptions (hereinafter referred to as "Lease Agreement") owned and operated by the City of Fort Wayne, Indiana (hereinafter referred to as "City"), to Indiana & Michigan Electric Company (hereafter referred to as "Company"):

WHEREAS, the Declaratory Resolution provided that the Common Council shall, and does pursuant to such Resolution, submit to the qualified voters of the City such Resolution at a special election called and to be held in Fort Wayne, Indiana on the 7th day of May, 1974, all in accordance with the law in such case made and provided;

WHEREAS, notice of said special election was published in accordance with the law on April 17, 1974 in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel, newspapers printed and of general circulation in Fort Wayne;

WHEREAS, upon due and legal notice such special election was called and held in accordance with law on May 7, 1974, and at such special election 17,589 votes were cast For the Declaratory Resolution and 10,386 votes were cast Against the Declaratory Resolution;

WHEREAS, the Public Service Commission of Indiana by its Order entered on March 29, 1974 in its Cause No. 33638 has given, in the manner and to the extent required by law, its authorization to, and approval of, the Lease Agreement; and

WHEREAS, it is the opinion of the Common Council that there is necessity for the City to enter in- to the Lease Agreement, and it is in the best interest of the City so to do.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Declaratory Resolution be, and the same is, hereby confirmed, and the City and its Common Council shall proceed to execute the policy thereof,

SECTION 2. The Mayor is hereby authorized to execute, and the City Clerk to attest, the Lease Agreement in the form included in and made a part of the Declaratory Resolution and the Mayor is further authorized and the City Clerk to attest, all other instruments, documents and papers supplemental or incidental to said Lease agreement and all instruments, documents and papers necessary or proper in connection with the execution of the Lease Agreement by the City.

SECTION 3. The proper officers of the City as provided by law and the Lease Agreement, be and they are hereby, authorized and empowered to execute any and all instruments, documents and papers, and do or cause to be done any and all acts or things, necessary or proper in order to perform and comply with all the obligations and undertakings of the City under the Lease, and to obtain compliance and performance by the Company of all its obligations and undertakings under the Lease Agreement.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-18-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-05-50

GENERAL ORDINANCE NO. G-16-74

AN ORDINANCE superceding General Ordinance No. G-11-64, adopting the provisions of the "Abandoned Vehicle Act" of 1969, Ch. 374, Section 1 (IC 9-9-1-1 et seq.) for the implementation by and for the City of Fort Wayne, prohibiting the abandoning of vehicles on public or private premises therein, and providing penalties for the violation thereof.

WHEREAS, vehicles are abandoned and discarded in the City of Fort Wayne; and

WHEREAS, said vehicles are detrimental to the health and well being of the people unless removed and properly disposed; and

WHEREAS, the General Assembly of the State of Indiana has enacted the "Abandoned Vehicle Act" of 1969, Ch. 374, Section 1 (IC 9-9-1-1 et. seq.) which provides for the disposal of abandoned and junk vehicles; and

WHEREAS, in order to adopt said Act, the Common Council must designate a "Public Agency" to implement its provisions; and

WHEREAS, the Common Council desires to adopt the provisions of said act, to establish local procedures for the removal, storage and disposal of abandoned and junk vehicles in the City of Fort Wayne, to prohibit the abandoning of vehicles on public or private premises therein and to provide penalties for the violation thereof.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It shall be unlawful for any person to abandon any vehicle on any public or private premises within the City or to leave any vehicle at any place within the City for such time and under circumstances which would reasonably make such vehicle appear to have been abandoned. No person shall leave any partially dismantled, non-operating, wrecked or junked vehicle on any public or private premises within the City.

SECTION 2. That the Board of Public Works shall and is hereby denominated as the "Public Agency" which shall be responsible for the removal, storage and disposal of abandoned vehicles, as designated in the "Abandoned Vehicle Act"; and in order to facilitate the removal of such abandoned vehicles or parts, the Board of Public Works may employ such personnel and acquire such equipment, property and facilities as are necessary for the purpose of removal, storage and disposition of such abandoned vehicles, not in conflict with the "Abandoned Vehicle Act", or the Board of Public Works may contract with private towing firms or individuals in such business on an annual basis to provide the equipment, storage area and facilities for the removal and disposal.

SECTION 3. The Board of Public Works shall establish at periodic times and place for the sale or disposal of all such vehicles impounded under the ordinance. Any monies received shall be placed in the "Junk Vehicle Fund".

SECTION 4. All of the powers, purposes, provisions and definitions contained in said act are now incorporated by reference in this ordinance and made a part thereof.

SECTION 5. The owner of such abandoned or junk vehicle may in lieu of the above provisions voluntarily provide for the removal and disposal of said vehicle by executing an abandoned vehicle removal waiver with the Board of Public Works.

SECTION 6. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in the amount not exceeding \$300 or be imprisoned in jail for a period not exceeding 30 days, or be both so fined and imprisoned. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-16-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-43

SPECIAL ORDINANCE NO. S-85-74

AN ORDINANCE approving a contract with JOHN GALT, INC. and HAROLD PALMER for Sanitary Sewer in Market Place of Canterbury.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between JOHN GALT, INC., HAROLD D. PALMER and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for the construction of a sanitary sewer; as follows:

Commencing at the existing Manhole No. 19 at Station 54 + 20, St. Joe Interceptor Sewer- Division II, Resolution No. 219, and 222± feet South of the centerline of St. Joe Center Road on the West property line of Lot No. 1 in Parker Homestead Addition, Section 19, Township 31 North, Range 13 East, Allen County; thence, South in and along a 20 foot easement, recorded under Instrument 74-00661, 30± feet; thence, Easterly in and along said easement a distance of 640± feet terminating at a proposed manhole. Said sewer to be 18 inches in diameter.

for a total cost of \$22,807.28, to be shared 41% by Developer and 59% by the City, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-85-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-44

SPECIAL ORDINANCE NO. S-86-74

AN ORDINANCE approving an Agreement with INDIANA VILLA CAPRI for sanitary sewer.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement between INDIANA VILLA CAPRI and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for the construction of a sanitary sewer, as follows:

A 8 inch sanitary sewer beginning at an existing sanitary manhole 5±lineal feet south of the southwest corner of Lot 12 South Dellwood Park; thence easterly 710±lineal feet, terminating at a proposed manhole located 5±lineal feet east of and 5±lineal feet south of the southeast corner of Lot 20 of said South Dellwood Park.

for no cost to the City for sewer construction and future sewage charges will be paid to the City, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-86-74 on the 11th day of June, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-32

SPECIAL ORDINANCE NO. S-87-74

AN ORDINANCE approving a contract with
MIDWEST HI-RANGER, DIVISION OF MOBILE
AERIAL TOWERS for purchase of Hi-Ranger
Bucket Truck

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated May 13, 1974, by and through its Mayor and the Board of Public Works and MIDWEST HI-RANGER, DIVISION OF MOBILE AERIAL TOWERS, for:

1 - 35' Aerial Unit, Demonstrator which is a
Hi-Ranger Model 4E-35PMI Insulated boom \$17,600.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 4343 which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns, Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-87-74 on the 11th day of June, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-41

SPECIAL ORDINANCE NO. S-88-74

AN ORDINANCE approving an Agreement with
HIPSKIND ASPHALT CORPORATION for water
line modifications at Goshen and Harris
Roads.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement between HIPSKIND ASPHALT CORPORATION and the City of Fort Wayne, by and through its Mayor and the Board of Public Works to construct and install and furnish all necessary materials for the following:

380±feet of 12" D.I. water main and its appurtenances beginning at the existing water main located on the south side of Coliseum Blvd. (west), northward across Coliseum Blvd. and across U.S. Hwy. 30 & 33. Also 235±feet of 16" D.I. water main and its appurtenances on Harris Road, beginning at the existing water main located on the north side of U.S. 30 ByPass southward across U.S. 30 ByPass

for a total cost of \$20,047.50, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-88-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-05-42

SPECIAL ORDINANCE NO. S-89-74

AN ORDINANCE approving a contract with EVNIREX, INC., A REXNORD COMPANY for purchase of replacement materials for Three Rivers Filtration Plant.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated May 21, 1974, by and through its Mayor and the Board of Public Works and EVNIREX, INC., A REXNORD COMPANY, for

Materials to be used to replace worn parts of the sludge collection
system at the Three Rivers Filtration Plant \$21,674.92

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 4421, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-89-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. X-72-12-08

ANNEXATION ORDINANCE NO. X-01-74

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.

WHEREAS, since the passage of Annexation Ordinance X-18-68, certain annexation statutes were enacted by the 1969 General Assembly of Indiana, which are more effective than prior statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-18-68 pursuant to the said 1969 annexation statutes, rather than under prior annexation statutes:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of Section 19, the Southeast Quarter of Section 18, the Southwest Quarter of Section 17, and the West half of Section 20, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows to-wit:

Beginning at the intersection of the East right-of-way line of the St. Joe Road with the North line of the Southwest one quarter of Section 20, Township 31 North, Range 13 East; thence South along the East right-of-way line of St. Joe Road to a point representing the easterly extension of the North line of the South one half of the South one half of Section 19, Township 31 North, Range 13 East; thence West along the said North line of the South one half of the South one half of said Section 19 to its intersection with the center line of the St. Joseph

River; thence upstream in a northerly direction following the meanderings of the center line of the St. Joseph River crossing St. Joe Center Road to its intersection with the westerly extension of the north line of St. Joe Gardens Addition; thence East along the westerly extension and the north line of the St. Joe Gardens Addition to a point situated 277 feet West of the center line of the St. Joe Road; thence, North 37 degrees and 45 minutes east along a line parallel with the center line of the St. Joe Road a distance of 123.8 feet to a point; thence east along a line being parallel to the North line of St. Joe Gardens Addition extended easterly, a distance of 252± feet to its intersection with the West right-of-way line of the St. Joe Road; thence in a Southwesterly direction on and along the West right-of-way line of St. Joe Road, crossing St. Joe Center Road, to its intersection with the east/west center line of Section 19, Township 31 North, Range 13 East; thence East to the intersection of the East right-of-way line of St. Joe Road with the North line of St. Joe Road with the North line of the Southwest one quarter of Section 20, Township 31 North, Range 13 East, to the point of beginning. Containing therein approximately 327 acres.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That Annexation Ordinance X-18-68 is hereby repealed.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication, but shall not take effect until January 1, 1976.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-01-74 on the 11th day of June, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. X-72-12-09

ANNEXATION ORDINANCE NO. X-02-74

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.

WHEREAS, since the passage of Annexation Ordinance X-03-68, certain annexation statutes were enacted by the 1969 General Assembly of Indiana, which are more effective than prior statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-03-68 pursuant to the said 1969 annexation statutes, rather than under prior annexation statutes:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of West Half of Sections 28 and 33, and N.E. 1/4, Section 32 and S.E. 1/4, Section 29, Township 31 North, Range 13 East.

Commencing at the intersection of the North right-of-way line of State Boulevard (Hicksville Road) and the West right-of-way line of Reed Road, said line being the existing corporate limits; thence East on said North right-of-way line of State Boulevard to its intersection with the East line of the West half of Section 33, Township 31 North, Range 13 East; thence North on the East line of the West half of Sections 33 and 28, Township 31 North, Range 13 East, to its intersection with the South right-of-way line of Trier Road; thence West on said South right-of-way line of Trier Road to the intersection of the West right-of-way line of Reed Road; thence South on said West right-of-way line of Reed Road to the North right-of-way line of the aforementioned State Boulevard the point of beginning, excluding, the West 816.6 feet of the North 427 feet of the Southwest 1/4 of Section 28, Township 31 North, Range 13 East, of Allen County, Indiana, containing approximately 313 acres.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is January 1, 1976.

SECTION 4. That Annexation Ordinance X-03-68 is hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication, but shall not take effect until January 1, 1976.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 6-11-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Annexation Ordinance No. X-02-74 on the 11th day of June, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-06-01

SPECIAL ORDINANCE NO. S-90-74

AN ORDINANCE approving a certain bid document
for mowers for the Park Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 587 dated May 9, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and HEINE TURF EQUIPMENT COMPANY, for

1 - Riding Rotary Mower (Toro Groundmaster 72)	\$ 3,032.00
2 - Riding Rotary Mower (Toro TR-3)	<u>3,160.00</u>
TOTAL	\$ 6,192.00

as more specifically set forth in said bid document Ref. 587 and Purchase Order No. 3-21574 which are on file in the office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico, Stier
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-90-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lehamoff
Mayor

BILL NO. S-74-06-02

SPECIAL ORDINANCE NO. S-91-74

AN ORDINANCE approving contracts with INTER-
NATIONAL HARVESTER and ERNST TRUCK EQUIPMENT
for purchase of equipment for Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated May 13, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and INTERNATIONAL HARVESTER COMPANY and ERNST TRUCK EQUIPMENT for the following:

International Harvester Company - P.O. 3-24983	
One (1) Cab and Chassis	\$10,775.00
Ernst Truck Equipment, Inc. - P.O. 3-24984	
One (1) Dump Body	<u>1,501.00</u>
TOTAL	\$12,276.00

all as more particularly set forth in said Contracts, which are on file in the Office of the Board of Works, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-91-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-06-03

SPECIAL ORDINANCE NO. S-92-74

AN ORDINANCE approving an Agreement with
WAYNE ASPHALT AND CONSTRUCTION CO., INC.
for improvement of Queen Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement dated May 30, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and WAYNE ASPHALT AND CONSTRUCTION CO., INC. for improvement of Queen Street, as follows:

Paving Queen Street from the south property line of Manford Street to the south property line of Pontiac Street, to a width of 27 feet including curbs

for a cost of \$18,186.50 to be paid by the City and \$19,404.00 to be paid by the property owners under Barrett Law, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-92-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-06-04

SPECIAL ORDINANCE NO. S-93-74

AN ORDINANCE approving a contract with JOHN
DEHNER, INC. for improvements to Lower
Huntington Road

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated May 17, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC. for improvements to Lower Huntington Road, as follows:

From the east property line of Premier Drive to the west property line of Winchester Road with street paving, sidewalks and street lighting

for a total cost of \$229,088.85, which will be partially handled through Barrett Law and the balance to be paid from Revenue Sharing, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-93-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-06-05

SPECIAL ORDINANCE NO. S-94-74

AN ORDINANCE approving an agreement with
ARLINGTON INVESTMENT CORPORATION for paving
Trick Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement dated May 20, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ARLINGTON INVESTMENT CORPORATION, for the improvement of Trick Avenue, as follows:

From the east line of Hampton Avenue to the west line of Sherman Boulevard

for a cost to the City of \$13,000.00, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-94-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-34 (Suspension of Rules)

Councilman Hinga, moved to suspend the rules on passage of BILL NO. S-74-07-43, at this meeting of July 9, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE was accordingly placed on its passage.
Date: 7-9-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as S-95-74

Date: 7-9-74

Charles W. Westerman
City Clerk

BILL NO. S-74-07-43

SPECIAL ORDINANCE S-95-74

AN ORDINANCE authorizing the issuance and sale of \$650,000 Economic Development Revenue Bonds Series 1974 (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for New Haven Wire & Cable, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on _____, approving the financing of said industrial facilities as described in said Report to be financed by the loan to New Haven Wire & Cable, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1974, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Ft. Wayne ~~and was~~ presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to New Haven Wire & Cable, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5 Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (New Haven Wire & Cable Project) in the total principal amount of Six Hundred Fifty Thousand Dollars (\$650,000.00) for the purpose of acquiring funds to loan to New Haven Wire & Cable, Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by New Haven Wire & Cable, Inc. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of New Haven Wire & Cable, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (New Haven Wire & Cable Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-95-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-14

RESOLUTION NO. R-44-74

A RESOLUTION transferring certain
funds in the 1974 Budget of the
Controller's Office

WHEREAS, Revenue Sharing projects and additional grants have caused an increase in the need for postage for mailing checks and correspondence; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

The sum of \$1,000.00 is hereby transferred from Account No. 660-560, Premiums on Official Bonds to Account No. 620-212 Postage in the 1974 Budget of the Controller.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-44-74 on the 9th day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-15

RESOLUTION NO. R-45-74

A RESOLUTION transferring certain
funds in the 1974 Budget of Com-
munications Department

WHEREAS, the cost of printing cards for recording dispatch assignments has increased substantially; and

WHEREAS, additional funds are needed to cover the cost of printing.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$1,500.00 is hereby transferred from Account No. 760-7-726, Other Equipment to Account No. 760-3-362, Stationery and Printing, in the 1974 Budget of the Communications Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-45-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-16

RESOLUTION NO. R-46-74

A RESOLUTION transferring certain funds
in the 1974 Budget of the City Plan
Department

WHEREAS, a Zoning Enforcement Officer and the administration of the Board of Zoning Appeals were not budgeted for 1974; and

WHEREAS, additional funds are necessary to carry on the normal business as a result of these new responsibilities.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred from Account No. 80-111, Salaries & Wages Regular, to the following:

\$ 600.00	Transporation - Account # 80-215
3,000.00	Printing Other Than Office - Account # 80-241
700.00	Photo & Blueprinting - Account # 80-243
1,000.00	Other Office Supplies - Account # 80-363
500.00	Subscriptions and Due - Account # 80-55

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-46-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 4:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-36

RESOLUTION NO. R-47-74

A RESOLUTION authorizing the issuance and sale of \$650,000 Economic Development Revenue Bonds, Series 1974, (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, New Haven Wire & Cable, Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to New Haven Wire & Cable, Inc. of economic development facilities, which lease to be guaranteed by New Haven Wire & Cable, Inc.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be

acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (New Haven Wire & Cable Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$650,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$650,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (New Haven Wire & Cable Project) of the City (the Series "1974" Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$700,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains pro-

visions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advice of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-47-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-38

RESOLUTION NO. R-48-74

A RESOLUTION reducing the Revenue
Sharing Appropriation Project "L"
#34-942 Police Garage

WHEREAS, the Revenue Sharing Project "L" Police Garage has an excess appropriation of \$150,000.00;
and

WHEREAS, the monies are needed for gasoline in all Board of Safety Budgets and Demolition Accounts.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That Revenue Sharing Project "L" Police Garage #34-942-00 be reduced in the amount of \$150,000.00.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed
on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, , Stier, Talarico
Nays: One, V. Schmidt

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No.
R-48-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974,
at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-39

RESOLUTION NO. R-49-74

A RESOLUTION transferring certain funds
in the 1974 Police Department Budget.

WHEREAS, Officer John E. Smith was involved in a traffic accident on February 27, 1974 involving
Katy Steel Company; and

WHEREAS, settlement was made by St. Paul Fire and Marine Insurance Company in the amount of \$1067.52
and receipted into the General Fund;

WHEREAS, compensation has been made of Officer John E. Smith and Police Vehicle License No. MD 11118
has been repaired.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the sum of \$264.65 is hereby transferred from the General Fund into Account No. 71-2-252,
Equipment in the 1974 Budget of the Board of Public Safety.

2. That the sum of \$802.87 is hereby transferred from the General Fund into Account No. 71-3-332,
Medical, Surgical and Dental in the 1974 Budget of the Board of Public Safety.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-49-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-40

RESOLUTION NO. R-50-74

A RESOLUTION Approving application of the provisions of Section 23 of the United States Housing Act of 1937, as amended, to locality

WHEREAS, under the provisions of Section 23 of the United States Housing Act of 1937, as amended, the United States of America, acting through the Secretary of Housing and Urban Development, is authorized to provide financial assistance to local public housing agencies in providing low-rent housing by leasing dwelling units in privately-owned structures; and

WHEREAS, said Section 23 provides that the provisions thereof shall not apply to any locality unless the governing body of the locality has by resolution approved the applications of such provisions to such locality.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the application of the provisions of Section 23 of the United States Housing Act of 1937, as amended, to the City of Fort Wayne, Indiana is approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-50-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-46

RESOLUTION NO. R-51-74

A RESOLUTION authorizing the necessary steps for the study of a rate increase and issuance of revenue bonds by the Water and Water Pollution Control Utility to Finance Capital Improvements

WHEREAS, the Water and Water Pollution Control Utility have been operating on a fixed rate base for more than five years; and

WHEREAS, operational and maintenance costs have accelerated in this period due to inflationary increases in materials and adjustments in labor rates; and

WHEREAS, the Water Pollution Control Plant has reached its capacity and with continued growth and development will be incapable of adequately treating sewage; and

WHEREAS, the Indiana Stream Pollution Control Board and the Federal Environmental Protection Agency have offered grants to assist the Water Pollution Control Utility in expanding the Water Pollution Control Plant; and

WHEREAS, it will be necessary for the City to provide matching funds for said expansion; and

WHEREAS, the Environmental Protection Agency as a condition of said grant is requiring a study of sewage rates to all customers; and

WHEREAS, the Water Utility is in need of capital improvements to insure adequate and safe water supply to its customers; and

WHEREAS, said improvements must be financed from a revenue bond issue of the Water Utility.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Mayor, Controller and Board of Public Works be and they hereby are, authorized and directed to make a study and present proposals for necessary rate increases and revenue bond issues to insure the financial integrity of the Water and Water Pollution Control Utility and provide funds needed for the pending capital improvement programs.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-51-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-06-13

GENERAL ORDINANCE NO. G-19-74

AN ORDINANCE amending Chapters 20 and 22
of the Fort Wayne Municipal Code.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 20, of the Municipal Code of the City of Fort Wayne, Indiana, 1946, is hereby amended to read as follows:

Section 32, Paragraph C - Delete complete Paragraph

Section 34, - Amended to read as follows:

Section 34. Licensing of vendors for purpose of selling food and refreshment.

- (a) Every person who vends, sells, or offers for sale from a vehicle, stand, or table, food or refreshments in or upon any public park or park facility shall, before engaging in such business, obtain from the Board of Park Commissioners a license to do so.
- (b) The Board of Park Commissioners may limit the number of any type of license issued to a quantity sufficient to adequately serve the patrons of parks and park facilities
- (c) The fee for a yearly vending license shall be one hundred dollars annually for each motorized vending vehicle, trailer or stand. A stand shall be defined as any temporary structure, tent, table, or group of tables at a single location. The fee for a yearly vending license shall be twenty-five dollars annually for each non-motorized vending vehicle. The fee for a one-day vending license, to cover a special event, shall be twenty-five dollars per day per vending vehicle or stand.
- (d) All licenses issued under this section shall be prominently displayed and produced for inspection when requested by an officer or citizen, are not transferable, and yearly licenses expire on December 31 of the year in which issued.
- (e) The Board of Park Commissioners shall designate, in writing, to each license holder, the specific times and areas in parks where vending or selling of food or refreshments may take place.
- (f) No license granted under this section shall be construed to entitle any person to vend or sell in any place but in the areas specifically designated, nor to sell any item other than food or refreshments.
- (g) The Board of Park Commissioners may negotiate and contract with a concessionaire for exclusive Rights to vend food and refreshments in certain park facilities where special vending times, quality, or style of food and refreshment are required.
- (h) The license of any person who shall violate or fail to comply with any provisions of this section may be revoked by the Board of Park Commissioners.

SECTION 2. That Chapter 22 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, is hereby amended to read as follows:

Article 1, Section 1, line 5
 . . . or other public places in the city, (ADD) except municipal parks;
 Article 1, Section 2, line 2
 . . . or other public places in the city, (ADD) except municipal parks;
 Article 1, Section 5, line 5
 . . . or other public places in the city, (ADD) except municipal parks;
 Article 1, Section 8, line 4
 . . . market house, street, (ADD) municipal park
 Article 1, Section 8, line 8
 . . . during the market hours, (ADD) or upon or in any municipal park.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
 Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, Stier, V. Schmidt, Talarico
 Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 10th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-17 (Suspension of Rules)

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-74-07-17, at this meeting of July 9, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and S-74-07-17 ORDINANCE was accordingly placed on its passage.

DATE: 7-9-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-96-74

ATTEST:

(SEAL)

DATE: 7-9-74

Charles W. Westerman
City Clerk

BILL NO. S-74-07-17

SPECIAL ORDINANCE NO. S-96-74

AN ORDINANCE authorizing execution of a Deed to the City of Fort Wayne for the use and benefit of its Department of Redevelopment.

WHEREAS, the City of Fort Wayne is the owner of certain real estate in Allen County, Indiana described as follows:

Twelve (12) feet off the west end of Lots Numbered 4 and 5 in Commissioner's Subdivision of the South half of Outlot 11, Hanna's Plat A, according to the Plat thereof recording to Deed Record 84 at Page 404-412 in the Office of the Recorder of Allen County, Indiana.

ALSO, Two (2) feet off the West end of Lot Number 51 in Greene's Subdivision of the North 1/2 of Out Lot 11 in Hanna's Plat A.

ALSO, Beginning at a point on the New West line of said Lot 4, 12 feet North of the South line and running parallel with the South line 30 feet East; thence angling out to the original South line to a point 42 feet East from the New West line; thence West 42 feet to the place of beginning. Thus at the South West corner we have established a new corner and beginning at this new corner we measure 10 feet North on the West line thence Southeast to a point on the South line which is 10 feet East of said New Southeast corner; thence West 10 feet to the place of beginning which triangular piece together with all of the above shall serve to widen the alleys to that extent. All of the above located in Hanna's Subdivision of the South half of Lot Number 11, Plat "A" by Commissioners of the City of Fort Wayne, Allen County, Indiana; and

WHEREAS, the City of Fort Wayne has as one of its Departments, a Department of Redevelopment; and

WHEREAS, the Common Council of the City of Fort Wayne has determined that it will be in the best interests of the City of Fort Wayne in aid and assistance of its Department of Redevelopment, to transfer said above described real estate by Deed to the City of Fort Wayne for the use and benefit of its Department of Redevelopment.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Mayor of the City of Fort Wayne, Indiana be and is hereby authorized and directed in the name of and for and on behalf of the City of Fort Wayne to execute a Warranty Deed for the parcel of real estate hereinabove described to the City of Fort Wayne For the Use and Benefit Of Its Department Of Redevelopment. Said Warranty Deed shall be attested by the City Clerk of the City of Fort Wayne and shall bear the seal of the City of Fort Wayne.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such deed on behalf of the City of Fort Wayne and to do all things incidental thereto and necessary therefor.

SECTION 3. This Ordinance is passed on the same date and at the same meeting at which it is introduced and it is passed by the unanimous consent of all members of the Common Council present, and there are present and voting at least two-thirds (2/3) of the members elect of said Common Council.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-96-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. G-74-07-22

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. G-74-07-22, at this meeting of July 9, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and Special ORDINANCE was accordingly placed on its passage.

DATE: 7-9-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as S-100-74.

ATTEST:

(SEAL)

DATE: 7-22-74

Charles W. Westerman

BILL NO. S-74-07-22 (AS AMENDED)

SPECIAL ORDINANCE NO. S-100-74

AN ORDINANCE ratifying, confirming and approving Agreement with the Board of County Commissioners of Allen County, Indiana for conveyance of real estate to the City of Fort Wayne, Indiana and authorizing the execution and Delivery of a Deed of Conveyance From Said City to The Housing Authority of the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement to convey real estate dated July 1, 1974 between the City of Fort Wayne, Indiana and the Board of County Commissioners of Allen County, Indiana for the conveyance of the following described real estate to the City of Fort Wayne, Indiana for the use and benefit of the Housing Authority of the City of Fort Wayne, Indiana:

The South 60 feet, except the South 27 feet of the East 45 feet of Lot 357, Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

The South 27 feet of the East 45 feet of Lot 357 in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

The East 30 feet of Lot 332 in Hanna's Addition to the City of Fort Wayne, Allen County, Indiana

all as more particularly set forth in said agreement to convey real estate to the City of Fort Wayne, Indiana, and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed and approved. Burns Statute Annotated Sections 26-1017 and 26-1018 authorizes and provides the procedure for conveyance of said land to the City of Fort Wayne, Indiana.

SECTION 2. Be it further ordained that the City of Fort Wayne, Indiana is authorized by its Mayor and City Clerk to execute and deliver a Deed conveying said herein described real estate to The Fort Wayne Housing Authority.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-100-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-74-07-23

Councilman Nuckols, moved to suspend the rules on passage of BILL NO. S-74-07-23, at this meeting of July 9, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council. The above BILL and Special ORDINANCE was accordingly placed on its passage.

DATE: 7-9-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as S-101-74

ATTEST:

(SEAL)

DATE: 7-9-74

Charles W. Westerman
City Clerk

BILL NO. S-74-07-23 (AS AMENDED)

SPECIAL ORDINANCE NO. S-101-74

AN ORDINANCE ratifying, confirming and approving Agreement with the Board of County Commissioners of Allen County, Indiana for conveyance of real estate to the City of Fort Wayne, Indiana and authorizing the execution and Delivery of a Deed of Conveyance From Said City to The Housing Authority of the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement to convey real estate between the City of Fort Wayne, Indiana and the Board of County Commissioners of Allen County, Indiana for the conveyance of the following described real estate to the City of Fort Wayne, Indiana for the use and benefit of the Housing Authority of the City of Fort Wayne, Indiana:

Lot No. 330 Hanna's Addition to the City
of Fort Wayne, Allen County, Indiana

all as more particularly set forth in said agreement to convey real estate to the City of Fort Wayne, Indiana, and is by reference incorporated herein and made a part hereof, is in all things ratified, confirmed and approved. Burns Statute Annotated Sections 26-1017 and 26-1018 authorizes and provides the procedure for conveyance of said land to the City of Fort Wayne, Indiana.

SECTION 2. Be it further ordained that the City of Fort Wayne, Indiana is authorized by its Mayor and City Clerk to execute and deliver a Deed conveying said herein described real estate to The Fort Wayne Housing Authority.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-101-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-03-17

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B8.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B8, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed according, to-wit:

Lot Numbered one (1) in Doehrmann's Addition to the City
of Fort Wayne, Book 594, page 406
Lots numbered 2, 3, and 4 in Doehrmann's Addition to the
City of Fort Wayne, Book 616, page 524

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: One
D. Schmidt

Nays: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico

Date: 7-9-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-05-52

ZONING ORDINANCE NO. Z-LOST

An Ordinance amending Section 3, Article II, and Section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shop, Beauty Parlor, Insurance and similar office uses as Home Occupation Uses in All Districts following Board of Zoning Appeals Approval.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 3, (27) of Article II, of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 3, (27) of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby enacted as follows:

Section 3. Definitions.

(27) Home Occupation--Any use conducted entirely within a dwelling and participated in solely by members of the family, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no commodity sold upon the premises except that which is produced thereon, and provided, however, in no event shall a tea room or animal hospital be construed as a home occupation.

SECTION 2. Section 13 of Article IV, of the Fort Wayne Municipal Code, Chapter 36, is hereby amended by adding thereto a new subsection G. of Section 13 of Article IV of the Fort Wayne Municipal Code, Chapter 36, which is hereby enacted as follows:

Section 13. Special Uses--Specified Districts.

- G. In R1, R2, R3, RA and RB Districts the Board may permit beauty parlors, barber shops, insurance and similar offices which satisfy all the requirements for "Home Occupation", as such term is defined in this Chapter, for a period not to exceed one year from the date of the special use Improvement Location permit issued by authority of the Board. The special use Improvement Location permit may be reissued on each subsequent annual expiration date for an additional year if the Board finds that the public convenience and welfare will be substantially served and that the proposed renewal will not be unduly detrimental to the surrounding area. A public hearing will not be required for renewal permits.

SECTION 3. If any part, parts, section, sections, provision, clause or portion of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this ordinance as a whole or any part, section, clause, provision or portion of this ordinance.

SECTION 4. This ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Stier, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
D. Schmidt, V. Schmidt
Nays: Six
Burns, Hinga, Kraus, Moses, Stier, Talarico
Abstained: One
Nuckols

Date: 7-9-74

Charles W. Westerman
City Clerk

BILL NO. G-74-06-07

GENERAL ORDINANCE NO. G-20-74

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The North-South alley located between Lots # 14 and # 15, and Lots # 43 and # 44 of A. J. & C. L. Vesey's Addition, extending south from the south right-of-way of Nuttman Avenue to the north right-of-way of Nuttman Avenue to the north right-of-way of Oakdale Drive

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted,

placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-20-74 on the 9th day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-06-09

GENERAL ORDINANCE NO. G-21-74

AN ORDINANCE amending General Ordinance
No. G-97 by authorizing the vacation of
a certain alley in the City of Fort Wayne

BE IT ORDIANED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on May 20, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

That portion of the North-south alley abutted on the east by Lot # 103 Electric Addition, on the west by the Norfolk & Western Railway (Wabash Division), extending south, from the south right-of-way of Brown Street, to the north right-of-way of the first east-west alley south of Brown Street

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-21-74 on the 9th day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebmaoff
Mayor

BILL NO. R-74-07-24

RESOLUTION NO. R-56-74

A RESOLUTION approving Phase I of
Park Master Plan

WHEREAS, the City of Fort Wayne Board of Park Commissioners did develop and publish Phase I of a Park Master Plan which sets out the direction for securing and preservation of open space and conservation of green areas needed for recreation areas now and in the future and did, on April 18, 1974, approve this Master Plan; and

WHEREAS, the Plan Commission of the City of Fort Wayne did, on May 20, 1974, hold a public hearing to determine the public benefit of the Park Master Plan and, on May 20, 1974, did adopt a resolution approving the Park Master Plan and incorporating it into the Fort Wayne City Master Plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That Phase I of Park Master Plan, and its incorporation into the Fort Wayne City Master Plan, is hereby approved, ratified, and confirmed.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Moses

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-56-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-44

RESOLUTION NO. R-52-74

A RESOLUTION approving Section 23 Project

WHEREAS, The Housing Authority of the City of Fort Wayne, Indiana, (hereinafter called "Housing Authority") proposes to operate a project under the Housing Assistance Payments Program of Section 23 of the United States Housing Act of 1937 as amended (hereinafter called "U.S. Housing Act"); and

WHEREAS, pursuant to Indiana's Housing Authorities Act as amended, the Housing Authority may not initiate a project until it is approved by the local governing body which activated the Housing Authority.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That a project, which will be operated by the Housing Authority pursuant to the Housing Assistance Payments Program of Section 23 of the U. S. Housing Act and which will include assistance on behalf of up to approximately 300 eligible families and elderly persons, is hereby approved; and
2. That this Resolution shall be effective immediately.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Burns

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-52-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebmaoff
Mayor

BILL NO. S-74-06-10

SPECIAL ORDINANCE NO. S-97-74

AN ORDINANCE approving contracts with GRAYBAR ELECTRIC COMPANY and GENERAL ELECTRIC COMPANY for materials for Light Construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated May 22, 1974 and May 24, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and GRAYBAR ELECTRIC COMPANY for the following:

Graybar Electric Company - P.O. 4426	
12 American Concrete Design Concrete pole	\$ 2,580.00
4 American Concrete Design Concrete Shaft	1,140.00
11 American Concrete Design Sleeve Tenon	2,926.00
General Electric Company - P.O. 4446	
70 175 Watt Mercury Luminaries	2,156.00
40 400 Watt Mercury Luminaries	<u>2,146.50</u>
TOTAL	\$10,948.50

all as more particularly set forth in said contracts, which are on file in the Office of the Board of Works, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-97-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-06-11

SPECIAL ORDINANCE NO. S-98-74

AN ORDINANCE approving a contract with
EAST JORDAN IRON WORKS for materials
for Curb and Sidewalk Program

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated May 31, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and EAST JORDAN IRON WORKS, as follows:

50	7015M - Grates	
50	7010Z - Frames	\$ 5,900.00
50	5105M - Castings	<u>3,412.50</u>
	TOTAL	\$ 9,312.50

all as more particularly set forth on City Utilities Purchase Order No. 4381, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-98-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-06-12

SPECIAL ORDINANCE NO. S-99-74

AN ORDINANCE approving a contract with
CENTRAL SUPPLY COMPANY for materials for
Light Construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated May 24, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CENTRAL SUPPLY COMPANY, as follows:

100,000 Cable Duct-3 1/c # 2 Aluminum AWG Type \$ 59,900.00

all as more particularly set forth on City Utilities Purchase Order No. 4438, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 7-9-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-99-74 on the 9th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-09

SPECIAL ORDINANCE NO. S-102-74

AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for resurfacing of Lafayette Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated June 28, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and WAYNE ASPHALT AND CONSTRUCTION COMPANY, for:

Materials and Labor necessary for repairs to curbing and radii in connection with State Highway resurfacing of Lafayette Street

for a total cost of \$24,029.80, all as more particularly set forth on Purchase Order No. 3-25987, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols
Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-102-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-10

SPECIAL ORDINANCE NO. S-103-74

AN ORDINANCE approving a certain bid document with SINCLAIR RADIO LABORATORIES, INC. for filtering and coupling system.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 591 dated June 13, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and SINCLAIR RADIO LABORATORIES, INC., for:

One (1) Complete Filtering and Coupling System VHF Multicoupler System Model
CTR10-23273 \$8,337.70

as more specifically set forth in said bid document Ref. No. 591 and Purchase Order No. 3-25715G which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga, Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-103-74 on the 23rd day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-11

SPECIAL ORDINANCE NO. S-104-74

AN ORDINANCE approving a contract with DEEDS
EQUIPMENT COMPANY for equipment for Street De-
partment

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated June 24, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and DEEDS EQUIPMENT COMPANY, INC., for:

1 Engine Driven Bituminous Distributor \$11,535.00

all as more particularly set forth on Purchase Order No. 3-25966, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Absent: One
Nuckols

Date: 7-23-74.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-104-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-12

SPECIAL ORDINANCE NO. S-105-74

AN ORDINANCE approving a certain bid document with A.M. TILBURY, INC. for construction of two multipurpose courts at Study and Hanna Park

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 589 dated June 6, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and A.M. TILBURY, INC., for:

Two Concrete Multipurpose Courts (80' x 80') with two alternates	\$ 29,860.00
---	--------------

as more specifically set forth in said bid document Ref. No. 589 and Purchase Order No. 3-25810 which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes:	Eight
	Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays:	None
Absent:	One
	Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-105-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebmoff
Mayor

BILL NO. G-74-07-13

GENERAL ORDINANCE NO. G-23-74

AN ORDINANCE authorizing the investment of certain funds of the City of Fort Wayne, Indiana, in certain obligations of the United States and of Federal instrumentalities which are fully guaranteed by the United States, in certificates of deposit issued by banks and mutual savings banks incorporated under the laws of Indiana, and in national banking associations having their principal banking offices in the State of Indiana, establishing limitations on the maturity of investments already made.

WHEREAS, it is in the public interest of the citizens of the City of Fort Wayne, Indiana, to invest and reinvest any money of said municipality which is under the control of any City department, board, commission, or utility in certain obligations of the United States and of federal instrumentalities which are fully guaranteed by the United States, as well as in certificates of deposit issued by banks and mutual savings banks incorporated under the laws of Indiana, and in national banking associations having their principal banking offices in the State of Indiana; and

WHEREAS, it is appropriate to designate one of the legal officers of said municipality to make such investments and reinvestments of such money; and

WHEREAS, such investment and reinvestment of such money is presently authorized under the laws of the State of Indiana.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City Controller of the City of Fort Wayne, Indiana, be, and he is hereby, authorized and empowered to invest and reinvest any money which is under the control of any department, board, commission, or utility of said City in the following:

- (a) Bills, certificates of indebtedness, notes, and bonds of the United States of America;
- (b) The bonds or debentures issued under and by the authority of the Federal Farm Loan Act as amended (U.S.C., tit. 12, sec. 851-921); the Federal Home Loan Bank Act as amended (U.S.C., tit. 12, 1421-1449); the Home Owners Loan Act as amended (U.S.C., tit. 12, sec. 1461-1468), or
- (c) Obligations issued, assumed, or guaranteed by the International Bank for Reconstruction and Development, or
- (d) Obligations issued by any federal land bank or federal land bank or federal intermediate credit bank pursuant to the provisions of the Act of Congress known as the Federal Farm Loan Act (U.S.C., tit. 12, sec. 641-1012), as amended, or by or for any bank for cooperatives pursuant to the Act of Congress known as the Farm Credit Act of 1933 (U.S.C., tit. 12, sec. 636 et. seq.), as amended, or
- (e) Obligations heretofore or hereafter insured by the Secretary of Agriculture pursuant to the Consolidated Farmers Home Administration Act of 1961 (U.S.C., tit. 7, sections 1013a, 1921, 1923, 1926, 1928, 1929, 1942, 1961, 1991) or prior laws or pursuant to Title V of the Housing Act of 1949 (U.S.C., tit. 42, section 1471-1483) as said acts are now or hereafter amended; PROVIDED, HOWEVER, That if such investment shall be made at a cost in excess of the par value of the securities purchases any premium paid therefor shall be deducted from the first interest received and returned to the fund from which the investment was purchased and only the net amount shall be considered interest income; and PROVIDED, FURTHER, That none of the funds shall be invested in any securities the maturity or redemption date of which is later than the time when such funds are required to be available for the purpose thereof as provided by law, if such time can be determined, otherwise such investments shall be made only in securities having a maturity or redemption date one (1) year or less from the date of purchase or subscription; PROVIDED, FURTHER, That this limitation shall not apply to funds that are not required to be available for any purpose in the foreseeable future.

SECTION 2. That the said City Controller be, and he is hereby, authorized and empowered, in addition to any other investment rights and powers he may hold or possess, to invest and reinvest any money which is under the control of any department, board, commission, or utility of said City in Certificates of deposit issued by banks and mutual savings banks incorporated under the laws of Indiana and in national banking associations having their principal banking offices in the State of Indiana. Such investments shall be in such amounts, for such rate and for such term as may be agreed upon from time to time by the said Controller and the participating bank.

SECTION 3. That the said City Controller be, and he is hereby authorized and empowered to sell any of the securities acquired pursuant to authority granted in Section 1 and Section 2 of this Ordinance; and he is further authorized and empowered to do any and all things necessary to protect the interests of the funds so invested, including the exercise of exchange privileges which may be granted with respect to maturing securities in cases where the new securities offered in exchange meet the requirements for initial investment.

SECTION 4. That the City Controller be, and he is hereby authorized and empowered to accept safekeeping receipts for securities so acquired from a duly designated depository as prescribed in IC 5-12-1 (Burns Ann. St. Sections 61-622-61-633) or from a bank or trust company located either within or without the State of Indiana having a combined capital and surplus of at least ten million dollars (\$10,000,000.00) according to the last published report of condition for such bank or trust company, having physical custody of such securities.

SECTION 5. All interest derived from investments under this Ordinance shall become a part of the funds invested; PROVIDED That the said City Controller may apply the interest derived from the investment of the proceeds derived from any bonded indebtedness and/or local tax levies to the appropriate redemption, bond, interest or sinking fund and where meter deposits of any municipally owned utilities, such as the City Water Department, are invested so as to earn interest, such portion of the fund representing interest earned may be applied to and used in the operating or depreciation fund of the municipally owned utility.

SECTION 6. Investments made in certificates of deposit under the provisions of this Ordinance, including interest accrued thereon, shall be considered to be public funds as such term is defined in IC 5-21-1, the same being the Depository Act of 1937 as amended, and shall be covered by the public deposits insurance created by that act.

SECTION 7. Investments in certificates of deposit under the provisions of this Ordinance shall be made on a pro rata basis with depositories duly designated for the City of Fort Wayne, Indiana, pursuant to the provisions of IC 5-12-1-17, the same being Section 17 of the Depository Act of 1937 as amended; PROVIDED That, if any duly designated declines to issue certificates of deposit at the then current rate for such certificates of deposit, the amount of certificates of deposit issued by other duly designated depositories shall not be considered in determining the proper allocation of other public funds of said City' PROVIDED, FURTHER, That if all of the duly designated depositories of said City decline to issue certificates of deposit, investment may be made in certificates of deposit issued by any other bank or trust company as provided for in Section 2.

SECTION 8. Any and all acts and orders of the said City Controller, or of any other legal officer of said City, heretofore made whereby the funds of said City or the funds which are under the control of any department, board, commission or utility thereof, have been invested in the bonds, notes, certificates of indebtedness and other valid obligations of the United States, or in the bonds, notes, debentures and other securities issued by any federal instrumentality and fully guaranteed by the United States or in certificates of deposit are hereby legalized and declared valid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-23-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebmaoff
Mayor

BILL NO. R-74-07-60

RESOLUTION NO. R-54-74

A RESOLUTION authorizing the issuance and sale of \$800,000 Economic Development Revenue Bonds, Series 1974 (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, New Haven Wire & Cable, Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to New Haven Wire & Cable, Inc. of economic development facilities, which lease to be guaranteed by New Haven Wire & Cable, Inc.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (New Haven Wire & Cable Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the

Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$800,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$800,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 New Haven Wire & Cable Project of the City (the Series "1974" Bonds). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$800,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to, and attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of an interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture,

in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of a premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instrument, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stier
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-54-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-62

Resolution No. R-55-74

A Resolution Repealing Resolution
R-47-74

WHEREAS, The Common Council of the City of Fort Wayne, has adopted a Resolution No. R-47-74, authorizing the issuance and sale of Economic Development Bonds Series 1974 (New Haven Wire & Cable Project), and

WHEREAS, there has been certain changes in the terms of said Economic Development Bonds;

NOW THEREFORE, BE IT RESOLVED:

SECTION 1. Said Resolution No. R-47-74 be, and it hereby is repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stier
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-55-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-73-12-11

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. BB7.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB7 referred to therein, established by Section 9, Article III of said Chapter as amended, is hereby changed according, to-wit:

Lot # 4 Chase's Sub. Add. 1714 St. Marys
Ave., Fort Wayne, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Five
Burns, Hinga, Moses, D. Schmidt, Talarico
Nays: One
V. Schmidt
Abstained: Two
Kraus, Stier
Absent: Nuckols
Date: 7-23-74

Charles W. Westerman
City Clerk

BILL NO. Z-47-07-55

ZONING MAP ORDINANCE NO. Z-15-74

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. CC 10

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

SECTION 1. That the area described as follows is hereby designated a R-3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. CC 10, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Lot numbered 1 in Richardville Reserve, West of the St. Marys River, Fort Wayne, Allen County, Indiana, described as follows, to wit: Beginning at a point located North 49 degrees 06 minutes West 666.6 feet and South 79 degrees 27 minutes West 31.9 feet from the intersection of the center line of Winchester Road and the Southeasterly line of Lot numbered 1 in Richardville Reserve, thence South 79 degrees 40 minutes West along said Easterly right-of-way 382.7 feet, thence North 79 degrees 20 minutes East 189.4 feet to the Southwesterly right-of-way of Winchester Road, thence South 49 degrees 06 minutes East along said Southwesterly right-of-way 490.4 feet to the place of beginning, containing 3.00 Acres of land, more or less

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-15-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebmoff
Mayor

BILL NO. G-74-06-08

GENERAL ORDINANCE NO. G-22-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on May 20, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The East-West alley, approximately twelve (12) feet in width, immediately to the North of Lot No. 16 in France Addition to the City of Fort Wayne, Indiana, between North Clinton Street on the West and the West edge of the first North-South alley on the East

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmdit, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-22-74 on the 23rd day of July, 1974.

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff, Mayor

BILL NO. R-74-07-58

RESOLUTION NO. R-53-74

A RESOLUTION confirming the Amended Declaratory Resolution concerning the Neighborhood Development Program (IND. A-14) Adopted by the Fort Wayne Redevelopment Commission

WHEREAS, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution - Neighborhood Development Program (IND. A-14) Redevelopment Commission; and

WHEREAS, said Declaratory Resolution was approved by City Plan Commission on March 18, 1974 and confirmed by City Council on March 19, 1974 in accordance with the provisions of the "Redevelopment of Cities and Towns Act of 1953" (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented); and

WHEREAS, in accordance with a directive from the Department of Housing and Urban Development, said Declaratory Resolution has been amended to reflect an actual total acquisition figure of Five Hundred Sixty-Nine Thousand, Three Hundred Forty Dollars and Fifty Cents (\$569,340.50), based on the average of the two (2) independent appraisals conducted, for both East and West Central renewal areas; and

WHEREAS, at a Regular Meeting of the Redevelopment Commission held July 8, 1974, the Commissioners approved said Amended Declaratory Resolution, a copy of which is attached hereto and made a part hereof, and marked "Exhibit A".

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Amended Declaratory Resolution for Neighborhood Development Program (IND. A-14), adopted July 8, 1974 by the Fort Wayne Redevelopment Commission, is hereby approved, ratified, and confirmed.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-53-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-25

SPECIAL ORDINANCE NO. S-106-74

AN ORDINANCE approving Change Order No. 2 in connection with St. Joe Interceptor Sewers

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 for broadcasting of Perennial Rye Grass seed needed to prevent

soil erosion with the following:

John Dehner, Inc.	\$2,160.00
Nobis Westropp	2,280.00
Earth Construction	5,850.00
Bercot, Inc.	4,400.00
Hipskind Asphalt	577.50
Earth Construction	4,160.00
Hipskind Asphalt	714.00
Hipskind Asphalt	784.00
TOTAL	\$20,925.50

as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-106-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-26

SPECIAL ORDINANCE NO. S-107-74

AN ORDINANCE approving a contract with T & F CONSTRUCTION for installation of ornamental lighting in Continental Park Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between T & F CONSTRUCTION and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for installing new street lighting in Continental Park Addition for a total cost of \$9,230.30, of which the property owners will pay approximately \$7,965.22, all as more particularly set forth on said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 Nuckols

Date: 7-23-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-107-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-74-07-27

SPECIAL ORDINANCE NO. S-108-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES, INC. for sidewalk repairs in fourth District.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between CARRINGTON & ASSOCIATES, INC. and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for improvements to curbs and sidewalks, as follows:

Both sides of Jackson Street from S/P/L of Main Street to the N/P/L of Leykauf Street; Both sides of Van Buren Street from the S/P/L of Main Street to the N/P/L of Lavina Street; Both sides of Wilt Street from the W/P/L of Broadway to the E/P/L of Rockhill Street and Lavina Street from the W/P/L of Broadway to 94 feet west of the W/P/L of Rockhill Street

for a total cost of \$54,277.63, of which the City will pay \$43,358.13 of the construction costs, property owners to pay approximately \$10,919.50 of the construction costs and in addition, charges by the Street Department and W.P.C. Maintenance of approximately \$28,877.00, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
 Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 Nuckols

Date: 7-23-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-108-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-28

SPECIAL ORDINANCE NO. S-109-74

AN ORDINANCE approving a contract with CONTINENTAL CONSTRUCTION COMPANY for sidewalk repairs in first and fifth Councilmanic Districts.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between CONTINENTAL CONSTRUCTION COMPANY and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for improvement to curbs and sidewalks in the First and Fifth Districts- Contracts "F", "G" and "I" of Resolution No. 5648-1974, as follows:

Both sides of Piqua Avenue from E/P/L Calhoun Street to W/P/L of Clinton St., Both sides Dalman Ave. from E/P/L Clinton St. to W/P/L Lafayette St., Both sides Wiebke St. from E/P/L Clinton St. to W/P/L Lafayette St., Both sides of Packard Ave. from E/P/L Harrison St. to W/P/L Clinton St., Both sides Harrison St. from S/P/L Suttentfield St. to N/P/L of Darrow Ave., Both Barr St. from S/P/L of Leigh St. to N/P/L Wildwood Ave. and Barr St. from S/P/L of Dalman Avenue to N/P/L of Wiebke St.

for a total cost of \$59,989.15, of which the city will pay \$46,883.90, in addition the Street Department and W.P.C. Maintenance charges will be approximately \$5,612.75 for materials and services and the property owners to pay approximately \$13,105.25 of construction costs, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-109-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-29

SPECIAL ORDINANCE NO. S-110-74

AN ORDINANCE approving a contract with A.
GROSJEAN & SON for paving of an alley

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between A. GROSJEAN & SON and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for paving as follows:

The alley between Glenwood Avenue and Kenwood Avenue from the west property line of Lot #550, Grasmere Heights Addition to the west property line of Beacon Street

for a total cost of \$12,034.00, of which the City will pay \$8,514.00 and the balance of \$3,520.00 to be paid by the property owners under Barrett Law, all as more particularly set forth on said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-110-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-30

SPECIAL ORDINANCE NO. S-111-74

AN ORDINANCE approving a contract with A.
GROSJEAN & SON for paving of an alley.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between A. GROSJEAN & SON and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for paving, as follows:

The first alley south of Taylor Street from the east property line of Thompson Avenue to the east property line of the first alley east of Thompson Avenue

for a total cost of \$6,271.00, of which the city will pay \$4,321.00 and the balance of \$1,950.00 to be paid by the property owners under Barrett Law, all as more particularly set forth on said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-111-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-41

SPECIAL ORDINANCE NO. S-112-74

AN ORDINANCE approving a contract with CRESCENT ELECTRIC COMPANY for materials to be used by Traffic Engineering.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated July 2, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CRESCENT ELECTRIC COMPANY for:

1 Hapco 25' arm end and intermediate Type AC Mount	\$ 684.00
1 Hapco 30' arm end and intermediate Type AC Mount	847.00
1 Hapco Combination Pole	1,364.00
1 Hapco Combination Pole	1,364.00
5 Astro Brackets	<u>360.00</u>
TOTAL	\$4,619.00

all as more particularly set forth in Purchase Order No. 3-26185, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-112-74 on the 23rd day of July, 1974.

(ATTEST)

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-31

SPECIAL ORDINANCE NO. S-113-74

AN ORDINANCE approving contracts for materials to be used by Light Construction for 1974 Street Lighting Program.

SECTION 1. The contracts between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the following:

Central Supply - P. O. 4734	\$ 421.00
2 Gardco Luminaire	575.30
2 Gardco Luminaire	753.80
2 Gardco Luminaire	800.00
2 Gardco Luminaire	TOTAL \$2,550.00
Graybar Electric Co. P. O. 4736	
250 G. E. Lucalox Lamp	\$6,025.00
60 G. E. Lucalox Lamp	3,375.00
	TOTAL \$9,400.00
Griffin Electric Co. P. O. 4737	
30,000 #12 Stranded Copper Wire	\$3,948.80
All-Phase Electric Co. P. O. # 4739	
70 Relay Control	\$6,282.50
Tri-State Plumbing Supply Co. P. O. 4751	
10,000 Concrete Encasement	\$3,763.00
800 Copper Clad Ground rods	3,485.20
	TOTAL \$7,248.20
Graybar Electric Co. P. O. 4752	
12,000 Galvanized Steel Conduit	\$8,424.00
	TOTAL AMOUNT \$37,853.60

all as more particularly set forth on said City Utilities Purchase Orders, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-113-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-32

SPECIAL ORDINANCE NO. S-114-74

AN ORDINANCE approving contracts with HERSEY
METER CO. and GENERAL ELECTRIC COMPANY for
materials for Light Construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated June 12, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and HERSEY METER CO. and GENERAL ELECTRIC COMPANY, for:

General Electric Company P. O. 4604

12 1000 Watt Spaceglow Luminaire	\$ 3,960.00
9 Close Coupled mounting	378.00
9 35' primed steel pole	1,917.00
Total	\$ 6,255.00

Hersey Meter Co. P. O. 4609

4 6" Hersey Detector Water Meter	\$9,020.00
----------------------------------	------------

for a total cost of \$15,275.00, all as more particularly set forth on said City Utilities Purchase Orders, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-114-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-33

SPECIAL ORDINANCE NO. S-115-74

AN ORDINANCE approving contracts with GENERAL ELECTRIC COMPANY and PREFERRED PRODUCTS SALES COMPANY for materials for 1974 Street Lighting Program.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated June 14, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and PREFERRED PRODUCTS SALES COMPANY and GENERAL ELECTRIC COMPANY, for:

Preferred Products Sales Company P. O. No. 4122

400 Hapco Aluminum Poles	\$ 82,340.00
200 Hapco Aluminum Poles	46,292.00
16 Hapco Aluminum Poles	12,555.20
450 8' Mast Arms	9,283.00
100 6' Mast Arms	<u>1,595.00</u>
TOTAL	\$152,065.70

General Electric Company P. O. #4228

250 G. E. 250 Watt Luminaire	\$ 24,500.00
350 G. E. M250A Luminaire 175 Watt	10,780.00
150 G. E. M250A Luminaire 175 Watt	4,545.00
150 G. E. M400A Luminaire 400 Watt	7,155.00
16 G. E. Luminaire 1000 Watt	<u>3,072.00</u>
TOTAL	\$ 50,052.00

for a total cost of \$202,117.70, all as more particularly set forth on said City Utilities Purchase Orders, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-115-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-34

SPECIAL ORDINANCE NO. S-116-74

AN ORDINANCE approving a contract with
HERSEY METER COMPANY for purchase of water
meter for Indiana-Purdue Campus.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated June 19, 1974, by and through its Mayor and the Board of Public Works and HERSEY METER COMPANY, for:

1 Hersey Water Meter - 10" x 1- $\frac{1}{2}$ "
MFM-MCT Magnetic Read, Cubic foot
Register, with Flanges \$5,148.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 4708, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-116-74 on the 23rd day of July, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-35

SPECIAL ORDINANCE NO. S-117-74

AN ORDINANCE approving blanket purchases order
for supplies for Water Construction.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated June 14, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the following companies for supplies for Water Construction,

as follows:

NATIONAL MILL SUPPLY CO. P. O. No. B-4638
Blanket purchase order for the month of July 1, 1974 thru December 31, 1974
Type "K" Soft In 60 ft. Coils

TRI-STATE PLUMBING P. O. No. B-4639
Blanket Purchase Order for the month of July 1, 1974 thru December 31, 1974
Bronze Water Works Fittings

THE FORD METER BOX COMPANY, INC. P. O. No. B-4640
Blanket Purchase Order for the month of July 1, 1974 thru December 31, 1974
Copper and Bronze Water Works Fittings

all as more particularly set forth on said City Utilities Purchase Orders, which are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Nuckols

Date: 7-23-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-117-74 on the 23rd day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 24th day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-50 (AMENDED)

SPECIAL ORDINANCE NO. S-118-74 (AMENDED)

A SPECIAL ORDINANCE fixing the salaries of each and every appointive officer, employee, deputy, assistant, departmental and institutional head of the City of Fort Wayne, Indiana for the year 1975.

WHEREAS, the Mayor of the City of Fort Wayne has again fixed the salary of each employee of the City of Fort Wayne according to the classification system originally established by Ordinance No. S-84-73, the result being a salary schedule which accurately reflected the duties and responsibilities of said employees and which is fair and equitable and which provides an incentive for persons to seek employment and to remain in such employment once attained.

WHEREAS, the funds for such salaries are to be provided from the 1975 City Budget and other such sources as may be specified by Council.

WHEREAS, the general cost of living has risen in excess of 10.7% in the last 12 months and the City Wage Schedules must be adjusted to reflect this general devaluation of real wages.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That from and after the first day of January 1, 1975, all appointive officers, employees, deputies, assistants, departmental and institutional heads of the City of Fort Wayne shall be paid according to the 1974 Salary Administration Ordinance and Plan Amended Special Ordinance No. S-84-73 with the following exceptions:

SECTION 2. The table of maximum salaries will be amended to accommodate a 10% general increase, that is:

SCHEDULE OF FIXED MAXIMUMS

<u>Grade</u>	<u>Maximum</u>
1	\$ 7,150
2	7,810
3	8,415
4	9,020
5	9,735
6	10,450
7	11,220
8	12,090
9	12,980
10	13,970
11	14,960
12	16,060
13	17,270
14	18,480
15	19,800
16	21,175
17	22,660
18	24,090
19	24,640
20	24,750

SECTION 3. All persons employed in positions classified in pay grades 1 through 10 inclusive will be granted a general economic increase of 10% of their pay as of June 30, 1974. Those in pay grades 11 through 20 inclusive will be subject to review and approval of the Salary Review Board established in Amended Ordinance No. S-84-73.

SECTION 4. All sworn personnel of the Fort Wayne Police and Fire Departments being regularly employed as police officers, firefighters and all communication officers are hereby granted a salary increase of 10% of the base pay for 1974.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 7-30-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-118-74 on the 30th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 31st day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-59

SPECIAL ORDINANCE S-119-74

AN ORDINANCE authorizing the issuance and sale of \$800,000 Economic Development Revenue Bonds Series 1974 (New Haven Wire & Cable Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to New Haven Wire & Cable, Inc. authorizing execution of the Lease, providing for the pledge, of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has Developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for New Haven Wire & Cable, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on July 23, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to New Haven Wire & Cable, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I. C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to New Haven Wire & Cable, Inc. for the purpose of acquiring and construction the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I. C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (New Haven Wire & Cable Project) in the total principal amount of Eight Hundred Thousand Dollars (\$800,000.00) for the purpose of acquiring funds to loan to New Haven Wire & Cable, Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by New Haven Wire & Cable, Inc. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed 8% per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of New Haven Wire & Cable, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds New Haven Wire & Cable Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 7-30-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-119-74 on the 30th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 31st day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-61

SPECIAL ORDINANCE NO. S-120-74

AN ORDINANCE Repealing Special Ordinance S-95-74

WHEREAS, The Common Council of the City of Fort Wayne, has adopted an Ordinance No. S-95-74, authorizing the issuance and sale of Economic Development Bonds Series 1974 (New Haven Wire & Cable Project), and

WHEREAS, there has been certain changes in the terms of said Economic Development Bonds;

NOW THEREFORE, BE IT ORDAINED:

SECTION 1. Said Special Ordinance S-95-74 be, and it hereby is repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 7-30-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-120-74 on the 30th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 31st day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-65

RESOLUTION NO. R-57-74

RESOLUTION ON THE DEATH OF FUAD G. BONAHOOM,
FORMER CITY CLERK OF THE CITY OF FORT WAYNE,
INDIANA.

Once again death has removed from our midst a respected and beloved member of our community;

We knew him because of his service to the City of Fort Wayne, Indiana in the capacity of City Clerk from 1967 to 1972;

He was born and raised in Fort Wayne, Indiana and lived practically his entire life in the City of Fort Wayne.

He was an able City Clerk and his successor in office is most grateful for what he passed on to him when he left the office of City Clerk'

He had many other accomplishments in this community, notably as a Sergeant with the Allen County Police Department for fifteen (15) years.

BE IT RESOLVED, That the Mayor and Common Council of the City of Fort Wayne express their regret upon his passing away;

BE IT FURTHER RESOLVED, That the Common Council will honor him with a period of silence observed in his memory and that a wreath be placed in the Council Chambers of the Common Council of the City of Fort Wayne in loving memory of a departed public servant;

BE IT FURTHER RESOLVED, That a copy of this Resolution be spread upon the record of the Common Council of the City of Fort Wayne and that a copy thereof be sent to his widow.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
D. Schmidt

Date: 7-30-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-57-74 on the 30th day of July, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 31st day of July, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 31st day of July, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-47

SPECIAL ORDINANCE NO. S-121-74

AN ORDINANCE approving contracts between International Harvester Company, Zollner Corporation and American Thread Company and the City of Fort Wayne by and through its Department of Public Safety for fire protection.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts dated June 1, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Commissioners, Department of Public Safety and International Harvester Company, Zollner Corporation and American Thread Company for fire protection from the Fort Wayne Fire Department on specified grounds outside the city limits, for a cost to said companies in the total amount of \$56,947.77 which amount will be deposited into Fund No. 110 "Fire Fighting Fund" pursuant to Indiana Nurns Status Annotated s 48-6176, all more particularly set forth in said contract, which contract is on file in the office of the Board of Public Safety and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt

NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-121-74 on the 13th day of August, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Eugene Kraus, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-48

SPECIAL ORDINANCE NO. S-122-74

AN ORDINANCE approving an Agreement with ARCHONICS CORPORATION for consulting services on construction of a new fire training tower and additions to Fire Station No. 11.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain Agreement dated July 8, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ARCHONIC CORPORATION for consulting services in connection with Addition to Fire Station #11 on Rudisill Boulevard and construction of a new fire training tower for a cost to the City to be based on percentage of construction cost, which cost shall not exceed \$200,000.00, all as more particularly set forth in said Agreement, which is on file in the Office of the Board of Public Works, and is hereby, in all things ratified, confirmed and approved.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-122-74 on the 13th day of August, 1974.

ATTEST: (SEAL)
Charles W. Westerman Eugene Kraus, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-51

SPECIAL ORDINANCE NO. S-123-74

AN ORDINANCE approving a contract with ROBERT J. HOUSER for sidewalk repair in the 4th Councilmanic District.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated June 10, 1974, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and ROBERT J. HOUSER, for improvements as follows:

Curbs and sidewalks on both sides of Rockhill Street from S/P/L of Main Street to N/P/L of Lot #24 Ayres Addition; Both sides of Union Street from S/P/L of Main Street to the N/R/W/L of Penn Central Railroad; Both sides of West Wayne Street and West Berry Street from the W/P/L of Broadway to the E/P/L of Rockhill Street

for a total cost of \$77,161.03, of which the property owners shall be paying \$.50 per square foot and the City shall pay the balance from Revenue Sharing or City Curb & Sidewalk Fund, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-122-74 on the 13th day of August, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Eugene Kraus, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-52

SPECIAL ORDINANCE NO. S-124-74

AN ORDINANCE approving a certain bid document with Rieth-Riley Construction Company for reconstruction of the Franke Park Entrance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 594 dated June 25, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and RIETH-RILEY CONSTRUCTION COMPANY, INC., for :

All Labor, Equipment and Material required for construction
of roadway improvements at Franke Park \$19,450.00

as more specifically set forth in said Ref. No. 594 and Purchase Order No. 3-26235, which are on file in the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-124-74 on the 13th day of August, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Eugene Kraus, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-53

SPECIAL ORDINANCE NO. S-125-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for work on Harvester Drain Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated July 5, 1974, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC., for:

Construction of the Harvester Drain Storm Relief System
Resolution No. 283, Fort Wayne, Indiana, Department of
Housing and Urban Development, Project No. WS-IN-05-36-1001

for a total cost of \$1,337,327.53, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted placed on its passage. Passed by the following vote:

AYES: Five
Burns, Hinga, Kraus, Moses, D. Schmidt
NAYS: One
V. Schmidt
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-125-74 on the 13th day of August, 1974.

ATTEST:	(SEAL)
Charles W. Westerman	Eugene Kraus, Jr.
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-54

SPECIAL ORDINANCE NO. S-126-74

AN ORDINANCE approving a contract with INDIANA EQUIPMENT COMPANY, INC. for equipment for the Street Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated June 5, 1974, between the City of Fort Wayne, Indiana by and through its Mayor and the Board of Public Works and INDIANA EQUIPMENT COMPANY, INC., for:

3 Under Body Blade Assembly, Fully
Hydraulic Operated

\$14,826.00

all as more particularly set forth on Purchase Order No. 3-25555, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmdit, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-126-74 on the 13th day of August, 1974.

ATTEST: (SEAL)
Charles W. Westerman Eugene Kraus, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the 4:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-08

RESOLUTION NO. R-58-74

RESOLUTION authorizing the temporary advancement of funds from the Local Road & Street Fund, Park Trust Fund, Park Cumulative Building Fund, Motor Vehicle Highway Fund, Public Lighting Fund, Inner City Storm Relief Project, St. Marys River Impounding, Flood Prevention & River Improvement, Sewer Relief, Redevelopment District Capital funds to the General Fund, Park General, Fire Pension, Police Pension, Emergency Medical Service, Community Renewal Program funds for the period ending December 31, 1974.

WHEREAS, it has become necessary to borrow money to enhance the depleted funds of General Fund, Park General, Fire Pension, Police Pension, Emergency Medical Service and Community Renewal Program of the City of Fort Wayne, and

WHEREAS, there is sufficient money on deposit to the credit of Local Road & Street Fund, Park Trust Fund, Park Cumulative Building Fund Motor Vehicle Highway Fund, Public Lighting Fund, Inner City Storm Relief Project, St. Marys River Impounding, Flood Prevention & River Improvement, Sewer Relief, Redevelopment District Capital funds of the City of Fort Wayne which can be temporarily advanced or transferred to said General Fund, Park General, Fire Pension, Police Pension, Emergency Medical Service, and Community Renewal Program funds.

NOW THEREFORE, BE IT RESOLVED, that the Controller of the City of Fort Wayne be and is hereby authorized and directed to transfer the sum of \$3,080,000.00 from the Park Trust Fund, \$350,000; Park Cumulative Fund, \$150,000; Redevelopment District Capital, \$400,000; Motor Vehicle Highway, \$400,000; sewer Relief Fund, \$150,000; Flood Prevention & River Improvement, \$25,000; Public Lighting, \$600,000; St. Marys River Impounding, \$255,000; Local Road & Street, \$500,000; Inner City Storm Relief Project, \$250,000 funds to the General Fund, \$2,420,000; Park General, \$200,000; Fire Pension, \$180,000; Police Pension, \$180,000; Emergency Medical Service \$50,000; Community Renewal Program, \$50,000 which said sums shall be returned and repaid to the Local Road & Street Fund, Park Trust Fund, Park Cumulative Building Fund, Motor Vehicle Highway Fund, Public Lighting Fund, Inner City Storm Relief Project, St. Marys River Impounding, Flood Prevention & River Improvement, Sewer Relief, and Redevelopment District Capital funds on or before December 31, 1974.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-58-74, on the 13th day of August, 1974.

ATTEST: (SEAL)
Charles W. Westerman Eugene Kraus, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-07-56

SPECIAL ORDINANCE NO. S-127-74

AN ORDINANCE acknowledging acceptance of
Environmental Protection Agency Grant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain Grant Agreements dated June 27, 1974 from the Environmental Protection Agency tendering grant offers in amounts of:

1. \$14,487,225.00 WPC Plant Expension Division I,II,III
2. \$56,625.00 Advanced Waste Treatment Study
3. \$1,235,175.00 Infiltration/Inflow Sewer System Evaluation

of 75% of final approved cost, whichever is less, and a cost to the City of 15%, all as more particularly set forth on Board of Works Resolution No. 61-46-17, which is on file in the Office of the Board of Public Works, are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-127-74 on the 13th day of August, 1974.

ATTEST: (SEAL)
Charles W. Westerman Eugene Kraus, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-05-13

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. AA9

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1A district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. AA9 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot 393 Pfieffer Place 2nd Addition

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Lost by the following vote:

AYES: None

NAYS: Six

Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt

ABSENT: Three

Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-02-27

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. GG2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. GG2, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of the Southwest quarter of Section 8, Township 30 North, Range 12 East in Allen County, Indiana, specifically described as follows commencing at the Southwest corner of Lot Number 21 in Summit Place Addition, thence East along the South line of said Summit Place Addition a distance of 152.3 feet to a point, thence South a distance of 185.4 feet to a point on the North right of way of U.S. Highway #24, thence Southwesterly along said right of way distance of 135 feet to a point, thence North 62 degrees 24 minutes West a distance of 50 feet to a point on the East right of way of the Reckeweg Road, thence North along said East right of way a distance of 232 feet to the point of beginning, containing 0.825 acres, more or less

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage. Lost by the following vote:

AYES: One
D. Schmidt
NAYS: Five
Burns, Hinga, Kraus, Moses, V. Schmidt
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

BILL NO. S-74-07-57

SPECIAL ORDINANCE NO. S-128-74

AN ORDINANCE approving an agreement with
Little Turtle Territories, Inc. for construction
of a sanitary sewer extension

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain agreement dated July 17, 1974, between the City of Fort Wayne, Indiana, by and through its Mayor and the Board of Public Works and LITTLE TURTLE TERRITORIES, INC., for the construction of a sanitary sewer described as follows:

Main No. 1

Commencing at an existing manhole in the 27" St. Joe Interceptor Sanitary Sewer; thence, North along and outside the East right of way of Choctaw Pass 855± feet terminating at a proposed cleanout.

Main No. 2

Commencing at proposed Manhole No. 1 (located in Main No. 1); thence, Westerly along and outside the South right of way line of Fallen Timbers Trail 400± feet to a proposed manhole.

Lateral No. 3

Commencing at proposed Manhole No. 1 (located in Main No. 1); thence, East 520± feet along and outside the South right of way line of Fallen Timbers Trail terminating at a proposed cleanout.

Lateral No. 4

Commencing at proposed Manhole No. 3 (located in Main No. 1); thence, West 275± feet along and outside the South right of way line of Choctaw Court terminating at a proposed manhole.

at no cost to the City, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Eugene Kraus, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-21

RESOLUTION NO. R-59-74

RESOLUTION concerning parking on South
Calhoun Street South of Pontiac Street

WHEREAS, the City of Fort Wayne has undertaken to construct an off-street parking facility at the Southwest corner of the intersection of Pontiac and Calhoun Streets; and

WHEREAS, since completion of said parking facility the City of Fort Wayne has caused parking on South Calhoun Street from Pontiac North and South for two (2) blocks to be prohibited; and

WHEREAS, the prohibition of said parking inconveniences the public in the use of parking on said street and serves no useful purpose.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

That the City of Fort Wayne through its duly authorized department restore parking on both sides of South Calhoun Street from Pontiac South for said two blocks.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Six
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt
NAYS: None
ABSENT: Three
Nuckols, Stier, Talarico

Date: 8-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-59-74 on the 13th day of August, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Eugene Kraus, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 14th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.R.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-74-08-22

Councilman Hinga, moved to suspend the rules on passage of Bill No. S-74-08-22 as amended, at this meeting of August 26, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above Bill and Special ordinance was accordingly placed on its passage.

Date: 8-26-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Nine

Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as S-148-74

ATTEST:

(SEAL)

Date: 8-26-74

Charles W. Westerman
City Clerk

BILL NO. S-74-08-22 (As Amended)

SPECIAL ORDINANCE NO. S-148-74

AN ORDINANCE fixing the tax levy of the City of
Fort Wayne for the year 1975.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of \$3.5864 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1975, the same to be divided as follows:

General Fund	2.394
Street Lighting	.015
Sewer Relief	.019
Fire Pension	.205
Police Pension	.199
Sanitary Officers Pension	.006
Park General	.563
Emergency Medical Services	.091
Ft. Wayne Art Institute	.007
Redevelopment General	.0144
Redevelopment District Capital	.065
Ft. Wayne Fine Arts Foundation	.008
	<u>3.5864</u>

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: 8-26-74

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-148-74 on the 26th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-02

SPECIAL ORDINANCE NO. S-129-74

AN ORDINANCE approving change Order No. 2
in connection with Street Resurfacing at
Glencairn and Fairlawn Pass.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 2 to Wayne Asphalt to correct storm drainage problem at Glencairn and Fairlawn Pass in the total amount of \$6,775.00, as set out in the specifications is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-129-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-03

SPECIAL ORDINANCE NO. S-130-74

AN ORDINANCE approving a contract with NOBIS-WESTROP,
INC. for construction of McArthur Drive Feeder Main

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated August 5, 1974, between NOBIS-WESTROPP CONSTRUCTION CO. and the City of Fort Wayne, by and through its Mayor and the Board of Works, for the construction and installation as follows:

995± feet of sixteen inch (16") ductile iron water main on McArthur Drive from Old Trail Road to Elzey Street, and it's appurtenances

for a total cost of \$30,730.00, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-130-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-04

SPECIAL ORDINANCE NO. S-131-74

AN ORDINANCE approving a contract with
CARRINGTON & ASSOCIATES for Sidewalk Repair
on Harrison Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated July 29, 1974 between CARRINGTON & ASSOCIATES, INC., and the City of Fort Wayne by and through its Mayor and the Board of Public Works for:

Curb and sidewalk repair, 1st District, on both sides of Harrison Street from the south property line of Brackenridge Street to the North property line of Suttentfield Street

for a total cost of \$35,426.40, of which property owners shall pay approximately \$5,837.00 and the balance of approximately \$29,589.40 to be paid from Revenue Sharing, all as more particularly set forth in said contract which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Special Ordinance No. S-131-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-05

SPECIAL ORDINANCE NO. S-132-74

AN ORDINANCE approving contracts with JOHN DEHNER, INC. for Storm Sewers and Streets, Curbs, Sidewalks and Lights in the Waynedale Area, Phase I

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION I. The contracts dated July 29, 1974 between JOHN DEHNER, INC. and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

Contract I - Construction of Storm Sewers in Waynedale Area in the amount of \$542,210.13

Contract II - Construction, paving of streets, sidewalks, curbs and street lighting in the amount of \$861,561.89

of which \$588,000.00 has been set aside from Revenue Sharing, all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmdit, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-132-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-06

SPECIAL ORDINANCE NO. S-133-74

AN ORDINANCE approving Change Order No. 3
in connection with the Stormwater Demonstration Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 to Bowen Engineering Corporation in connection with the Stormwater Demonstration Project in the amount of \$5,798.31, which is a Federal funded project, as set out in the specifications is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-133-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-07

SPECIAL ORDINANCE NO. S-134-74

AN ORDINANCE approving a certain bid document
with POINSATTE MOTORS, INC. for sedans for
Board of Works Car Pool

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 597 dated July 2, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and POINSATTE MOTORS, INC., for:

2 - 1974 Plymouth - 4 Door Sedans (1) Fury II,
(1) Fury III, includes Trade In of Units III and II# \$7,088.00

all as more specifically set forth in said bid document Ref. No. 597 and Purchase Order No. 3-26234, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things, ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-134-74 on the 27th day of August, 1974.

ATTEST:	(SEAL)
Charles W. Westerman	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-74-08-36

Councilman Hinga, moved to suspend the rules on passage of BILL NO. S-74-08-36, at this meeting of August 27, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special Ordinance was accordingly placed on its passage.

Date: 8-27-74

Samuel J. Talarico	Charles W. Westerman
Presiding Officer	City Clerk

AYES: Nine
Burns, Hinga, Kraus, Nuckols, Moses, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as S-135-74

ATTEST	(SEAL)
--------	--------

Date: 8-27-74	Charles W. Westerman
	City Clerk

BILL NO. S-74-08-36

SPECIAL ORDINANCE NO. S-135-74

AN ORDINANCE authorizing the issuance and sale of \$600,000 Economic Development Revenue Bonds Series 1974 (Grant-Holladay Construction Corp. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Grand-Holladay Construction Corp. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Grant-Holladay Construction Corp." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on August 9, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Grant-Holladay Construction Corp. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Grant Holladay Construction Corp. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds Grant-Holladay Construction Corp. Project in the total principal amount of Six Hundred Thousand Dollars (\$600,000.00) for the purpose of acquiring funds to loan to Grant-Holladay Construction Corp. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Grant-Holladay Construction Corp. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and Officers or representatives of Grant-Holladay Construction Corp.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein and on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Grant-Holladay Construction Project), after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-135-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-37

SPECIAL ORDINANCE S-136-74

AN ORDINANCE authorizing the issuance and sale of \$550,000 Economic Development Revenue Bonds Series 1974 (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Paramount Industries, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Paramount Industries, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on August 9, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Paramount Industries, Inc. of proceeds from the issuance and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Paramount Industries, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Paramount Industries Project) in the total principal amount of Five Hundred Fifty Thousand Dollars (\$550,000.00) for the purpose of acquiring funds to loan to Paramount Industries, Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Paramount Industries, Inc. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Paramount Industries, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Paramount Industries Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-136-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-41

SPECIAL ORDINANCE S-137-74

AN ORDINANCE authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds Series 1974 (Gunnar Elliott Ice Arena Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Gunnar Elliott Ice Arena, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Gunnar Elliott Ice Arena, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on _____, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Gunnar Elliott Ice Arena, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I. C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Gunnar Elliott Ice Arena, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I. C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Gunnar Elliott Ice Arena Project) in the total principal amount of Seven Hundred Thousand Dollars (\$700,000.00) for the purpose of acquiring funds to loan to Gunnar Elliott Ice Arena, Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Gunnar Elliott Ice Arena, Inc. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Gunnar Elliott Ice Arena, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Gunnar Elliott Ice Arena Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-137-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-43

SPECIAL ORDINANCE S-138-74

AN ORDINANCE authorizing the issuance and sale of \$400,000 Economic Development Revenue Bonds Series 1974 (Colonial Mortgage Company Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Colonial Mortgage Company of Indiana, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Colonial Mortgage Company of Indiana, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on August 27, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Colonial Mortgage Company of Indiana, Inc. of proceeds from the issue and sale of revenue bond of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I. C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Colonial Mortgage Company of Indiana, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I. C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Colonial Mortgage Company Project) in the total principal amount of Four Hundred Thousand Dollars (\$400,000.00) for the purpose of acquiring funds to loan to Colonial Mortgage Co. of Ind., Inc. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Colonial Mortgage Company on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed ____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Colonial Mortgage Co. of Ind., Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment or which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Colonial Mortgage Company Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-138-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-74

SPECIAL ORDINANCE S-139-74

AN ORDINANCE authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds Series 1974 Fort Wayne Foundry Corp. Project of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Foundry, Inc. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Fort Wayne Foundry Corp." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on August 27, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Fort Wayne Foundry Corp. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I. C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Fort Wayne Foundry Corp. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I. C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Fort Wayne Foundry Project) in the total principal amount of Seven Hundred Thousand Dollars (\$700,000.00) for the purpose of acquiring funds to loan to Fort Wayne Foundry Corp. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Fort Wayne Foundry Corp. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed ____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Fort Wayne Foundry Corp.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Fort Wayne Foundry Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-139-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-24

RESOLUTION NO. R-60-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Board of Public Safety

WHEREAS, expenses for Publication of Legal Notices increased in 1974 because advertising for demolition of buildings had to be expended from this account; and

WHEREAS, there are sufficient funds in Account No. 700-2-261 to cover the additional cost.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$100.00 is hereby transferred from Account No. 700-2-261 Other Contractual Services to Account No. 700-2-242 Publication of Legal Notices in the 1974 Budget of the Board of Public Safety.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Kraus

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution

No. R-60-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-25

RESOLUTION NO. R-61-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Street Department

WHEREAS, there are insufficient funds in Account No. 880-211 Freight to cover expenses for the balance of 1974; and

WHEREAS, there are sufficient funds in Account No. 880-213 Travel Expense to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$100.00 is hereby transferred from Account No. 880-213 Travel Expense to Account No. 880-211 Freight in the 1974 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-61-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-26

RESOLUTION NO. R-62-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Street Department

WHEREAS, there are insufficient funds in Account No. 880-363, Other Office Supplies in the 1974 Budget of the Street Department to cover expenses for the balance of 1974; and

WHEREAS, there are sufficient funds in Account No. 880-213 Travel, to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$350.00 is hereby transferred from Account No. 880-213 Travel to Account No. 880-363 Other Office Supplies in the 1974 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-62-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-27

RESOLUTION NO. R-63-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Board of Public Works

WHEREAS, it is necessary for the Board of Public Works to purchase two new automobiles; and

WHEREAS, there are sufficient funds in Account No. 660-242 to cover the cost of said purchase.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$9,000.00 is hereby transferred from Account No. 660-242, Publication of Legal Notices to Account No. 660-722 Motor Equipment in the 1974 Budget of the Board of Public Works.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-63-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-28

RESOLUTION NO. R-64-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Humane Commission

WHEREAS, there are insufficient funds in Account No, 810-3-321 Gasoline due to excessive cost of gasoline and additional truck in service; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$1,000.00 is hereby transferred from Account No. 810-2-251 Repairs; Bldg. and Structure and that the sum of \$100.00 is hereby transferred from Account No. 810-2-222 Gas to Account No. 810-3-321 Gasoline in the 1974 Budget of the Humane Commission.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-64-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-29

RESOLUTION NO. R-65-74

A RESOLUTION transferring certain funds in
the 1974 Budget of the Humane Commission

WHEREAS, due to the increase in food prices and the increase in the number of animals being picked up, there are insufficient funds in Account No. 810-3-35 Food to meet the necessary expenses for the balance of 1974; and

WHEREAS, there are sufficient funds in Account No. 810-2-222 Gas to cover the additional expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$500.00 is hereby transferred from Account No. 810-2-222 Gas to Account No. 810-3-35 Food in the 1974 Budget of the Humane Commission.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-65-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-30

RESOLUTION NO. R-66-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Humane Commission

WHEREAS, due to an increase in charge for Answerphone and a charge of 10¢ for any call after first 300 calls there are insufficient funds in Account No. 810-2-214 for the balance of 1974; and

WHEREAS, there are sufficient funds in Account No. 810-2-222 Gas to cover the additional expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$100.00 is hereby transferred from Account No. 810-2-222 Gas to Account No. 810-2-214 Telephone & Telegraph in the 1974 Budget of the Humane Commission.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-66-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-07-38

RESOLUTION NO. R-67-74

A RESOLUTION authorizing the issuance and sale of \$600,000 Economic Development Revenue Bonds, Series 1974 (Grant-Holladay Construction Corp. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Grant Holladay Construction Corp. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Grant-Holladay Construction Corp. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Grant-Holladay Construction Corp. of economic development facilities, which lease to be guaranteed by Grant-Holladay Construction, Corp.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 Grant-Holladay Construction Corp. Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$600,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$600,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Grant-Holladay Construction Project) of the City (the Series "1974" Bonds). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$600,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, and Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council ~~and to certify thereon that the same is the form of such instrument submitted to this Common Council~~ approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge, and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of an premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hings, Kraus, Moses, Nukcols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-67-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-39

RESOLUTION NO. R-68-74

A RESOLUTION authorizing the issuance and sale of \$550,000 Economic Development Revenue Bonds, Series 1974 (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Paramount Industries, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Paramount Industries, Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Paramount Industries, Inc. of economic development facilities, which lease to be guaranteed by Paramount Industries, Inc.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City of Fort Wayne by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Paramount Industries, Inc. Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$550,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$550,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Paramount Industries Project) of the City (the Series "1974" Bonds). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$550,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bonds Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act N. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Celrk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-68-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11 O'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-40

RESOLUTION NO. R-69-74

A RESOLUTION authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds, Series 1974 (Gunnar Elliott Ice Arena Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Gunnar Elliott Ice Arena, Inc. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Gunnar Elliott Ice Arena, Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Gunnar Elliott Ice Arena, Inc. of economic development facilities, which lease to be guaranteed by Gunnar Elliott Ice Arena, Inc.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Gunnar Elliott Ice Arena, Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit, insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$700,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$700,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Gunnar Elliott Ice Arena Project) of the City (the Series "1974" Bonds). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, ~~the words and terms used in this Bond Resolution~~, the words and terms used in this Bonds Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$700,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-69-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-42

RESOLUTION NO. R-70-74

A RESOLUTION authorizing the issuance and sale of \$700,000 Economic Development Revenue Bonds, Series 1974 (Fort Wayne Foundry Corp. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Foundry Corp. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the cost of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Fort Wayne Foundry Corp. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Fort Wayne Foundry Corp. of economic development facilities, which lease to be guaranteed by Fort Wayne Foundry Corp.; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Fort Wayne Foundry Corp. Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$700,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$700,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Fort Wayne Foundry Corp. Project) of the City (the Series "1974" Bonds). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$700,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of,

premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, and Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-70-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-45

RESOLUTION NO. R-71-74

A RESOLUTION authorizing the issuance and sale of \$400,000 Economic Development Revenue Bonds, Series 1974 Colonial Mortgage Co. Project of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Colonial Mortgage Co. authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Colonial Mortgage Co. of Ind. Inc. (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Colonial Mortgage Co. of Ind., Inc. of economic development facilities, which lease to be guaranteed by Colonial Mortgage Co. of Ind., Inc. and;

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds, Series 1974 (Colonial Mortgage Company Project) herein authorized are "Economic Development Facilities" as that phrase is used in the Act and that utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$400,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$400,000 aggregate principal amount of Economic Development Revenue Bonds, Series 1974 (Colonial Mortgage Company Project) of the City (the Series "1974" Bonds). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Series 1974 Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Series 1974 Bonds. The total principal amount of Series 1974 Bonds that may be issued is hereby expressly limited to \$400,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Series 1974 Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a

charge against the general credit or taxing power of the City. In case any officer whose signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Series 1974 Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Series 1974 Bonds. The Mayor and Clerk of the City are hereby authorized and directed to sell the Series 1974 Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Series 1974 Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium, if any, and interest on the Series 1974 Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Series 1974 Bonds, and the securing of the Series 1974 Bonds, and the securing of the Series 1974 Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-71-75 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-20

SPECIAL ORDINANCE NO. S-140-74

AN ORDINANCE ratifying, confirming and approving Agreement with the Board of County Commissioners of Allen County, Indiana for conveyance of real estate to the City of Fort Wayne, Indiana and authorizing the execution and Delivery of a Deed of Conveyance From Said City to the Housing Authority of the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The agreement to convey real estate between the City of Fort Wayne, Indiana and the Board of County Commissioners of Allen County, Indiana for the conveyance of the following described real estate to the City of Fort Wayne, Indiana for the use and benefit of the Housing Authority of the City of Fort Wayne, Indiana:

Tract No. 8, south west corner of
McCormick and Edsall Avenue

all as more particularly set forth in said agreement to convey real estate to the City of Fort Wayne, Indiana, and is by reference incorporated herein and made a part hereof, is in all things hereby ratified, confirmed and approved. Burns Statute Annotated Sections 26-1017 and 26-1018 authorizes and provides ~~the provides~~ the procedure for conveyance of said land to the City of Fort Wayne, Indiana.

SECTION 2. Be it further ordained that the City of Fort Wayne, Indiana is authorized by its Mayor and City Clerk to execute and deliver a Deed conveying said herein described real estate to the Fort Wayne Housing Authority.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by John Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-140-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-13

SPECIAL ORDINANCE NO. S-141-74

AN ORDINANCE approving a contract with
HIPSKIND ASPHALT CORPORATION for im-
provement to Sherman Boulevard

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract dated July 17, 1974 between HIPSKIND ASPHALT CORPORATION and the City of Fort Wayne, by and through its Mayor and the Board of Public Works for street improvements as follows:

Sherman Boulevard from St. Mary's River to Goshen Road, including drainage, street paving, curbs and sidewalks

for a total cost of \$246,518.50, of which the State will pay \$95,000.00, and the property owners to pay \$12,657.00, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-141-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-14

SPECIAL ORDINANCE NO. S-142-74

AN ORDINANCE approving a contract with T & F
CONSTRUCTION CORP. for installation of street
lighting in Casselwood Terrace Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the contract dated July 11, 1974, between T & F CONSTRUCTION CORP. and the City of Fort Wayne by and through its Mayor and the Board of Public Works for installation of new street lighting in Casselwood Terrace Addition for a total cost of \$25,144.30, of which the city will pay approximately \$9,784.30 and the balance to be paid by the property owners, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-142-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-15

SPECIAL ORDINANCE NO. S-143-74

AN ORDINANCE approving contracts for the
purchase of materials to be used by Water
Construction on Waynedale, Phase 1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and the following:

Purchase Order No. 5035 NATIONAL MILL SUPPLY 3/4" Copper Pipe	5,583.60
Purchase Order No. 5036 WAYNE PIPE & SUPPLY 255 ea. Curb Boxes	2,643.74
Purchase Order No. 5037 TRI-STATE PLUMBING 255 ea. Curb Stops 200 ea. 3/4"-3 part union couplings	2,180.15 768.00
Purchase Order No. 4567 TRI-STATE PLUMBING 50 ea. 3/4" Straight Couplings	135.00

Purchase Order No. 4572 FORD METER BOX CO.
225 ea. 3/4" Corporation Stops

978.75

12,289.35

all as more particularly set forth on said City Utilities Purchase Orders, which are on file in the Office of the Department of Purchasing, are by reference incorporated herein and made a part hereof, are hereby in all things, ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-143-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-16

SPECIAL ORDINANCE NO. S-144-74

AN ORDINANCE approving a contract with
MIDLAND PIPING for materials for
W. P. C. Maintenance on Lincoln Life
Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated July 22, 1974 between MIDLAND PIPING and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

50	7010Z - Complete casting w/back	5,900.00
30	5100Z - Complete casting-flat	3,412.50
15	1870Z - Complete manhole casting	<u>1,477.50</u>
		10,790.00

all as more particularly set forth on City Utilities Purchase Order No. 4939 which is on file in the Office of the Department of Purchasing, is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-144-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-17

SPECIAL ORDINANCE NO. S-145-74

AN ORDINANCE approving a contract with
BERCOT, INC. for water line extension
in Rolling Green Addition

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated July 3, 1974 between BERCOT, INC. and the City of Fort Wayne, by and through its Mayor and the Board of Public Works for:

864+ feet of six inch (6") ductile iron water main on Brentwood Avenue from Eastrove Street to the West property line of Lot 116 and on Eastrove Street from Grayston St. To Brentwood Ave., all in Rolling Green Addition. Said water main with all its appurtenances shall be constructed in accordance with the plans and specifications now on file in the office of the Department of Public Works of said City

for a cost of \$17,220.80, with the property owners paying approximately \$14,190.80 under Barrett Law and the balance of \$3,030.00 to be paid by City Utilities, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-145-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-18

SPECIAL ORDINANCE NO. S-146-74

AN ORDINANCE approving a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY for materials for signal lighting and signing of Berry/Harrison Intersection

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated August 1, 1974 between WESTINGHOUSE ELECTRIC SUPPLY CO. and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for:

Materials for signal, lighting, and signing of Berry/Harrison Intersection
\$15,648.00

all as more particularly set forth on City Utilities Purchase Order No. 5059, which is on file in the Office of the Department of Purchasing, is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-146-74 on the 27th day of August, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-19

SPECIAL ORDINANCE NO. S-147-74

AN ORDINANCE approving a blanket purchase order to Business Equipment for items purchased from July 1, 1974 to June 30, 1975

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract dated July 8, 1974 between BUSINESS EQUIPMENT COMPANY, INC. and the City of Fort Wayne, by and through its Mayor and the Board of Public Works for:

Blanket Purchase Order from July 1, 1974 thru June 30, 1975

The supplies will be shipped only upon issuance of Purchase Orders, as the need dictates all as more particularly set forth on said contract which is on file in the Office of the Department of Purchasing, is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Abstained: One
Stier
Date: 8-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-147-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-22 (As Amended)

SPECIAL ORDINANCE NO. S-148-74

AN ORDINANCE fixing the tax levy for the City of Fort Wayne for the year 1975.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That a levy of \$3.5864 upon each One Hundred Dollars of assessed valuation of all property within the corporate limits of the City of Fort Wayne, Indiana be and the same is hereby made for the year 1975, the same to be divided as follows:

General Fund	2.394
Street Lighting	.015
Sewer Relief	.019
Fire Pension	.205
Police Pension	.199
Sanitary Officers Pension	.006
Park General	.563
Emergency Medical Services	.091
Ft. Wayne Art Institute	.007
Redevelopment General	.0144
Redevelopment District Capital	.065
Ft. Wayne Fine Arts Foundation	.008
	<u>3.5864</u>

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 8-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-148-74 on the 26th day of August, 1974.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of August, 1974, at the hour of 11:00 O'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of August, 1974, at the hour of 4:00 O'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-05

RESOLUTION NO. R-72-74

A RESOLUTION authorizing the sale of certain real property owned by the City of Fort Wayne, Indiana

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate described as follows, to-wit:

Lot Numbered Thirteen (13) and the West ten (10) feet of Lot Numbered Twelve (12) Original Plat Addition to the City of Fort Wayne

Whereas, the above-described real estate is of no use to the City of Fort Wayne, and it is therefore deemed advisable to offer the same for sale.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF FORT WAYNE, INDIANA:

1. That the City of Fort Wayne, Indiana sell and convey by Warranty Deed the real estate above-described, the sale price thereof to be not less than the full appraised value thereof, which has heretofore been determined to be Eighty Thousand Dollars (\$80,000.00).

2. That the Mayor of the City of Fort Wayne and the Board of Public Works of said City, be and they hereby are authorized and directed to sell said real estate for cash of not less than such full appraised value; and upon the payment of the full purchase price of said real estate to the City, the Mayor, in the name of said City be, and he is hereby authorized to execute and deliver a Warranty Deed for said real estate conveying the same to Wayne Township of Allen County, and the signature of the Mayor on such deed shall be attested by the City Clerk of the City of Fort Wayne, and accompanied by the seal of said City.

3. That this Resolution shall be and constitute sufficient authority for the Mayor and City Clerk of the City of Fort Wayne to effect such sale and to do all things incidental thereto or necessary therefor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, ~~XXXXX~~ Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
ABSENT: ONE- KRAUS
Date: 9-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-72-74 on the 10th day of September, 1974.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of September, 1974, at the hour of 10:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of September, 1974, at the hour of 12:30 P.M., E.S.T.

Iyan A. Lebamoff
Mayor

BILL NO. Z-74-05-45

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. CC4

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. CC4 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots #11, 12, & 13 in Park's Addition - Section 15, Township 30 North, Range 12 East, Described in a deed to Volney Parks recorded in Deed Record 66, pages 427 and 428 in Allen County, Indiana, according to the plat thereof recorded in Deed Record 67, pages 372 & 373 in the Office of the Recorder, Allen County, Indiana. Located on the northeast corner of Whitmore Street and Westview Avenue.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

AYES: None
NAYS: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
ABSENT: One
Kraus

Date: 9-10-74

Charles W. Westerman
City Clerk

BILL NO. R-74-09-10

RESOLUTION NO. R-73-74

A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the Amendment of the Hanna-Creighton Urban Renewal Project I, IND. R-51 proposed by the Fort Wayne Redevelopment Commission and Confirming the Declaratory Resolution-Hanna-Creighton Urban Renewal Project I, IND. R-51 of the Fort Wayne Development Commission

WHEREAS, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution amending the Urban Renewal Plan for Hanna-Creighton Urban Renewal Project I, IND. R-51 on August 12, 1974 based on plans filed in the Office of said Fort Wayne Redevelopment Commission; a copy of which Declaratory Resolution is attached hereto, made a part hereof and marked "Exhibit A"

WHEREAS, the Plan Commission of the City of Fort Wayne at its Regular Meeting on August 19, 1974, adopted and issued a written order approving said Declaratory Resolution and Amendment to the Urban Renewal Plan referred to therein, relative to the said Hanna-Creighton Project I, IND. R-51; a copy of which Approval Order is attached hereto and made a part hereof and marked "Exhibit B".

WHEREAS, the foregoing actions set forth in Sections 1 and 2 herein of the said Fort Wayne Redevelopment Commission and the Fort Wayne City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented.)

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the said actions are hereby approved, ratified and confirmed.
2. That this resolution shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmdit, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Kraus

Date: 9-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-73-74 on the 10th day of September, 1974

ATTEST (SEAL)
Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of September, 1974, at the hour of 12:30 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-33

SPECIAL ORDINANCE NO. S-149-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for replacement of odd existing water mains in the Waynedale area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract dated August 14, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC. for construction of water mains in the following described locations:

On Church Street from Old Trail Road to Bluffton Road
 On Prairie Grove from Bradbury to Orchard Lane
 On Orchard Lane from Fair Oak to Prairie Grove Drive
 On Fair Oak Drive from Orchard Lane to Old Trail Road
 On Liberty Drive from Old Trail Road to Bluffton Road
 On Gardenvue Drive from Fair Oak to Liberty Drive
 On Waynewood Drive from Old Trail Road eastward 200± feet

for a total cost of \$48,240.00, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is be reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
 Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
 Burns, Hinga, ~~XXXXXX~~ Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
 NAYS: None
 ABSENT: One
 Kraus

Date: 9-10-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-149-74 on the 10th day of September, 1974.

ATTEST: (SEAL)
 Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 11th day of September, 1974, at the hour of 12:30 P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-74-08-34

SPECIAL ORDINANCE NO. S-150-74

AN ORDINANCE approving a contract with INDUSTRIAL FUEL OIL COMPANY for fuel oil at Filtration Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated August 12, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and INDUSTRIAL FUEL OIL CO., for:

120,000 Gallons 200 Viscosity # 5 Fuel Oil

for a cost of approximately \$36,012.00, price being subject to change at time of shipment, all as more particularly set forth on City Utilities Purchase Order No. 5088 which is on file in the Office of the Department of Purchasing, is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Kraus

Date: 9-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-150-74 on the 10th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of September, 1974, at the hour of 12:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-08-35

SPECIAL ORDINANCE NO. S-151-74

AN ORDINANCE approving a contract with ALLIED
CHEMICAL for materials for W. P. C. Plant

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated August 15, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ALLIED CHEMICAL for:

One (1) years supply of Liquid Aluminium Sulfate to be delivered by transport tank trucks at the rate of four (4) (more or less) 42,000 pound tank truck loads per week

This Order to cover the period of August 1, 1974 to July 31, 1975

all as more particularly set forth in said contract which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Absent: One
Kraus

Date: 9-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-151-74 on the 10th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of September, 1974, at the hour of 12:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-12 (AS AMENDED)

RESOLUTION NO. R-74-74

A RESOLUTION authorizing the Mayor to agree to certain clarification in a Lease Agreement with Indiana & Michigan Electric Company.

WHEREAS, the Indiana & Michigan Electric Company ("I & M") is requesting an expression from the City of Fort Wayne with regard to clarification and understanding of certain language contained in paragraph 2 of Article XVI of that certain proposed Lease Agreement with said City, which was the subject of Declaratory Resolution No. R-13-74, adopted by the Common Council of said City on March 12, 1974; and

WHEREAS, I & M has submitted a letter to the City embodying such clarification and understanding, a copy of which letter is attached to this Resolution and made a part hereof; and

WHEREAS, the Common Council finds it unnecessary to consider the accuracy of the other matters set forth in said letter;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

The Mayor of the City be and he hereby is authorized to indicate the acceptance of the City by signing said letter in the space therein provided, such acceptance being limited to acceptance of the clarification and understanding of paragraph 2 of the aforesaid Article XVI, without prejudice to any of the City's other rights.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Burns, Hinga, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
Moses
Absent: Two
Kraus, D. Schmidt

Date: 9-13-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-74-74 on the 13th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of September, 1974, at the hour of 9:30 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of September, 1974, at the hour of 9:30 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-01

SPECIAL ORDINANCE NO. S-152-74

AN ORDINANCE approving a bid document
for the installation and construction of
fountains at Reservoir Park

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 602 dated August 14, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and INDUSTRIAL PIPING AND ENGINEERING COPR., for

Installation and Construction of Two (2) Recirculating Fountains at Reservoir Park \$54,000.00

as more specifically set forth in said bid document Ref. No. 602 and Purchase Order No. 3-27520, which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: One
Burns

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-152-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-02

SPECIAL ORDINANCE NO. S-153-74

AN ORDINANCE approving a certain bid document
for a boiler for McCulloch Recreation Center

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A Certain bid document Ref. No. 601 dated August 13, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and PEARSON, INC., for:

Furnishing and Installing a boiler for McCulloch Recreation Center \$6,737.00

all as more specifically set forth in said bid document Ref. No. 601 and Purchase Order No. 3-27076, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-15-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-03

SPECIAL ORDINANCE NO. S-154-74

AN ORDINANCE approving a contract with SAFETY
EQUIPMENT CO., INC. for Emergency Medical
Services vehicles

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated July 29, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and SAFETY EQUIPMENT CO., INC., for:

Two (2) Emergency Medical Services Vehicles \$29,601.20

all as more particularly set forth on Purchase Order No. 3-25534, which is on file in the Office of the Department of Purchasing, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-154-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-04

SPECIAL ORDINANCE NO. S-155-74

AN ORDINANCE approving a certain bid document
for the furnishing of street trees.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certian bid document Ref. No. 600 dated August 13, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and THE COTTAGE GARDENS, INC. and C.M. HOBBS & SONS, INC., as follows:

THE COTTAGE GARDENS, INC. - P.O. 3-27212	
200 Trees	\$ 1,620.00
C. M. HOBBS & SONS, INC. - P.O. 3-27211	
2600 Trees	<u>\$16,235.00</u>
	\$17,855.00

as more specifically set forth in said bid document Ref. No. 600 and said Purchase Order numbers which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordiannce shall be in full force and effect fromand after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-155-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974,

at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 A.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. S-74-09-25

Councilman Hinga, moved to suspend the rules on passage of BILL NO. S-74-09-25, at this meeting of September 24, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Nuckols, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special Ordinance was accordingly placed on its passage.

Date: 9-24-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talrico
NAYS: None

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as S-156-74

ATTEST: (SEAL)

Date: 9-24-74

Charles W. Westerman
City Clerk

BILL NO. S-74-09-25

SPECIAL ORDINANCE NO. S-156-74

AN ORDINANCE repealing
Special Ordinance No. S-136-74

WHEREAS, The Common Council of the City of Fort Wayne, has adopted an Ordinance No. S-136-74, authorizing the issuance and sale of Economic Development Bonds.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Said Special Ordiannce No. S-136-74 be and it hereby is repealed.

SECTION 2. This Ordianance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Krays, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M. E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-16

RESOLUTION NO. R-75-74

A RESOLUTION transferring certain funds in
the 1974 Budget of the Street Department

WHEREAS, due to the increase in costs of materials and gasoline and due to replacement of several trucks, certain accounts in the 1974 Budget of the Street Department have insufficient funds for the balance of 1974.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$78,000.00 is hereby transferred from Account No. 880-111, Salaries to the following:

\$30,000.00 to Account No. 880-722 Motor Equipment
40,000.00 to Account No. 880-440 other Materials
8,000.00 to Account No. 880-321 Gasoline & Oil

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the common Council of the City of Fort Wayne, Indiana, as Resolution No. R-75-74 on the 24th day of September, 1974

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-17

RESOLUTION NO. R-76-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Fire Department

WHEREAS, due to spiraling inflation certain accounts in the 1974 Budget of the Fire Department have insufficient funds for the balance of the year.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

The sum of \$23,000.00 is hereby transferred from Account No. 730-11, Salaries, to the following accounts in the 1974 Budget of the Fire Department:

\$5,000.00 to Account No. 730-224	Utilities
5,000.00 to Account No. 730-321	Gasoline
2,500.00 to Account No. 730-331	Household
1,000.00 to Account No. 730-332	Medical
500.00 to Account No. 730-363	Other Office Supplies
3,000.00 to Account No. 730-37	Other Supplies
1,000.00 to Account No. 730-41	Building Materials
3,000.00 to Account No. 730-54	Clothing Allowance
2,000.00 to Account No. 730-726	Other Equipment

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-76-74 on the 24th day of September, 1974

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-18

RESOLUTION NO. R-77-74

A RESOLUTION transferring certain funds in the 1974 Budget of the Park Department.

WHEREAS, due the cost of gasoline rising more rapidly than anticipated, there are insufficient funds in Account No. 850-321 Gasoline to keep the fleet in operation for the remainder of 1974.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$13,000.00 is hereby transferred from Account No. 850-510, Insurance to Account No. 850-321, Gasoline in the 1974 Budget of the Park Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-77-74 on the 24th day of September, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-19

RESOLUTION NO. R-78-74

A RESOLUTION transferring certain funds in
the 1974 Budget of the Police Department

WHEREAS, there are various operating accounts in the Police Department's Budget that do not have sufficient funds for the balance of 1974; and

WHEREAS, there are excessive funds in the Police Salary Account due to less than full employment.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

That the sum of \$72,015.00 is hereby transferred from Account No. 71-111, Salaries, to the following Accounts:

\$3,000.00 to Account 71-131	Educational Incentive
6,300.00 to Account 71-132	Shift Differential
15,000.00 to Account 71-252	Repair of Equipment
700.00 to Account 71-322	Oil
2,500.00 to Account 71-323	Tires
700.00 to Account 71-324	Garage & Motor
6,500.00 to Account 71-332	Medical
11,640.00 to Account 71-37	Supplies
12,000.00 to Account 71-43	Repair Parts
75.00 to Account 71-57	Licenses
7,100.00 to Account 71-726	Other Equipment
6,500.00 to Account 71-726	Other Equipment

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-78-74 on the 24th day of September, 1974

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-26

RESOLUTION NO. R-79-74

A RESOLUTION repealing Resolution No. R-68-74

WHEREAS, the Common Council of the City of Fort Wayne has adopted Resolution No. R-68-74 authorizing the issuance and sale of Economic Development Bonds (Paramount Industries Project); and

WHEREAS, there have been certain changes in the terms of said Economic Development Bonds.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

Said Resolution No. R-68-74 be, and it hereby is repealed.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-79-74 on the 24th day of September, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-09-27

RESOLUTION NO. R-80-74

A RESOLUTION authorizing the issuance and sale of \$500,000 Economic Development Revenue Bonds, (Paramount Industries Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Paramount industries, Inc. authorizing the execution of the necessary instruments; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bond.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City" is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-4.5-28, inclusive, as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make such facilities available to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Paramount Industries, Inc. (the "Company") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Company has agreed to construct economic development facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City and to pay the principal of and interest and premium on the economic development revenue bond hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of the construction of economic development facilities by the Company; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the Loan Agreement and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bond (Paramount Industries, Inc. Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of the other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$500,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered the \$500,000 aggregate principal amount Economic Development Revenue Bonds (Paramount Industries Project) of the City. It is hereby recognized that pursuant to the terms of the Loan Agreement, the balance of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Loan Agreement and unless the context or use indicates another or different meaning or intent and the form of the Bond and the form of the Loan Agreement and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bond. The total principal amount of Bond that may be issued is hereby expressly limited to \$500,000, provided however, that Additional Bonds may be issued as hereinafter provided.

The Bond shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bond shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted on thereon the corporate seal of the City. The coupons attached to the Bond, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Bond or coupons shall have the same force and effect as if manually signed by such officer. The Bond, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond fund created under the Indenture secured and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bond and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bond, except as may be otherwise expressly authorized in the Indenture. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bond or coupons shall cease to be such officer before the delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office under delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Company.

SECTION 7. Sale of the Bond. The Mayor and Clerk of the City are hereby authorized and directed to sell the Bond. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, and Underwriting Agreement with the Underwriters providing for the sale of the Bond on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bond, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. General. The Mayor and Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of the Project by the Company, the issuance and sale of the Bond and the securing of the Bond under the Indenture.

All documents before this meeting, including the Indenture and the Loan Agreement are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Loan Agreement in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 10. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Five
Burns, Hinga, Kraus, Moses, Nuckols
Nays: Two
D. Schmidt, Stier
Abstained: Two
V. Schmidt, Talarico

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-80-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-04-13

ZONING MAP ORDINANCE NO. Z-16-74

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. BB7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot 75 and the south 17 feet of Lot 74, Archer's Addition, City of Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols, Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-16-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-06-06

ZONING MAP ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. E1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. E1, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots Numbered 36, 37, 38, 39, 40, 41, and 42 in White and Detzers Addition to Fort Wayne in Allen County, Indiana, according to the plat thereof recorded in Plat Book 2, Page 20 in the Office of the Recorder of Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: Two
D. Schmidt, V. Schmidt
Nays: Seven
Burns, Hinga, Kraus, Moses, Nuckols, Stier, Talarico

Date: 9-24-74

Charles W. Westerman
City Clerk

BILL NO. G-74-09-08 (AMENDED)

GENERAL ORDINANCE NO. G-24-74

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, adopted December 22, 1953

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Schedule 3, Section 170 "One Way Streets and Alleys", of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2726, adopted December 22, 1953, be and the same is hereby amended by adding thereto the following:

ONE WAY STREETS

<u>STREET</u>	<u>DIRECTION</u>	<u>FROM</u>	<u>TO</u>
Barr St.	Southbound	Wayne St.	Washington Blvd.
Harmony Court	Southbound	Alley S/Main St.	Berry St.

ONE WAY ALLEY

<u>ALLEY</u>	<u>DIRECTION</u>	
East-west	westbound--	between Wayne St. and Washington Blvd. from--Barr St. to Clinton St.

SECTION 2. That Schedule 5, Section 172 "Intersections Where Stop Required" by adding thereto the following:

STOP INTERSECTION

Barr st.	Stop	for Wayne St.
Wayne St.	Stop	for Barr St.
Lynn Ave.	Stop	for Leroy Ave.
Adams St.	Stop	for Manford St.
Adams St.	Stop	for Drexel Ave.
Drexel Ave.	Stop	for Turpie St.
Blairwood Dr.	Stop	for Forest Valley Dr.

SECTION 3. That Schedule 7, Section 174 "Parking Prohibited at All Times on Certain Streets" by adding thereto the following:

NO PARKING

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Hartman Rd.	both	Old Mill Rd.	Foster Park Dr.
Lexington Ave.	both	Old Mill Rd.	Hartman Rd.
Packard Ave.	north	Fairfield Ave.	270'W/thereof
Packard Ave.	south	Fairfield Ave.	295'W/thereof
Growth Ave.	east	Morrison St.	340'N/thereof
Day Camp Cr. (Franke Park)	east	Diehm Museum	Day Camp Parking Lot
Berry St.	north	Calhoun St.	Harrison St.
Harrison St.	east	Berry St.	alley N/thereof
Barr St.	east	Berry St.	Wayne St.
Market St.	east	Wayne St.	alley N/thereof

SECTION 4. That Schedule 7, Section 174 "Parking Prohibited at ALL Times on Certain Streets", by deleting therefrom the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Barr St.	west	Wayne St.	Washington Blvd.

SECTION 5. That Schedule 8, Section 175 "Parking Prohibited during Certain Hours on Certain Streets", by adding thereto the following:

NO PARKING 8:00-9:00 AM and 3:00-4:00 PM WEEK DAYS ONLY

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
Lynn Ave.	south	Woodward Ave.	Leroy Ave.

SECTION 6. That Schedule 10, Section 177(a) "Parking Time Limited on Certain Streets", One-Hour Parking 8:00 AM to 6:00 PM by adding thereto the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>
The Landing (formerly Columbia St.)	north	20'W/Calhoun St.	50'E/Harrison St.
Barr St.	west	Berry St.	Washington Blvd.
Barr St.	both	Washington Blvd.	Jefferson St.

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. G-24-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-09-09

GENERAL ORDINANCE NO. G-25-74

AN ORDINANCE amending General Ordinance No.
G-97 by authorizing the vacation of a public utility

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A petition for the vacation of a public utility easement having been filed with the Fort Wayne City Plan Commission, and a resolution having been duly adopted by the Fort Wayne City Plan Commission on the 19th day of August, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns. Ind. Ann. Statutes, 1964 Replacement, Sec. 53-744) the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public utility easement in Fort Wayne, Allen County, Indiana, to-wit:

A 12 foot wide utility easement running North and South between Lots 35 and 36 in Amended Beechwood Addition to the City of Fort Wayne, Allen County, and as recorded in the Office of the Recorder of Allen County, Plat Book 7, page 64

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-25-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-11

SPECIAL ORDINANCE NO. S-157-74

AN ORDINANCE approving an agreement with Fort Wayne Community Schools for sewer extension serving Blackhawk Junior High School

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Agreement dated July 17, 1974 between FORT WAYNE COMMUNITY SCHOOLS and the City of Fort Wayne, by and through its Mayor and the Board of Public Works for the construction of a sewer, as follows:

Commencing at an existing pumping station located 1,320+ feet south of the Hicksville Road (E. State Boulevard Ext.) and 1,400+ feet East of Maysville Road, thence North a distance of 898+ feet to a proposed manhole located approximately 60 feet South of the Bullerman Ditch; thence in a Northwesterly direction in and along the Westerly side of the Bullerman Ditch a distance of 1,400+ feet to a proposed manhole located on the West Side of the Bullerman Ditch and approximately 500+ feet North west of Maysville Road; thence West in and along a common property line 1,100+ L.F. termination at a proposed manhole.

Said sewer shall be 10" and 15" in diameter

for a total cost of \$52,939.37, of which 64% will be paid by Sewer Utility, all as more particularly set forth in said Agreement which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 9-24-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-157-74 on the 24th day of September, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Present by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of September, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me to this 25th day of September, 1974, at the hour of 11:30 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-13

SPECIAL ORDINANCE NO. S-158-74

AN ORDINANCE approving a certain bid document
with MEEK-MACK, INC. for vehicles for Fire
Department

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 593 dated June 27, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and MEEK-MACK, INC., for:

Ten (10) 1250 GPM Diesel Power Pumps	
Less Trade-ins	\$777,831.30

as more specifically set forth in said Ref. No. 593 and Purchase Order No. 3-26122-H which are on file in the office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Five
Burns, Hinga, Kraus, Nuckols, Talarico
NAYS: Three
Moses, D. Schmidt, Stier
ABSENT: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-158-74 on the 8th day of October, 1974

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-14

SPECIAL ORDINANCE NO. S-159-74

AN ORDINANCE approving a contract with ALLEN COUNTY MOTORS
for vehicles for the Board of Public Works

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated September 10, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ALLEN COUNTY MOTORS, for:

2 - 1974 Torino's 4 Door Sedans	
Less Trade-Ins and Discount	\$6,920.00

all as more particularly set forth on Purchase Order No. 27540, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-159-74 on the 8th day of October, 1974.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-10-06

RESOLUTION NO. R-81-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Law Department

WHEREAS, due to an increase in the work load of the Law Department, certain accounts have insufficient funds for the balance of 1974; and

WHEREAS, there are sufficient funds in the Wages and Salaries account to cover said additional expenses:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$2,500.00 is hereby transferred from Account No. 690-1-11, Salaries and Wages in the 1974 Budget of the Law Department into the following Accounts:

\$ 500.00 to Account No. 790-2-213, Travel
1,850.00 to Account No. 790-2-263, Xerox Expense
150.00 to Account No. 790-5-55, Subscriptions and Dues

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-81-74 on the 8th day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-10-07

RESOLUTION NO. R-82-74

A RESOLUTION transferring certain funds from insurance monies into the 1974 Budget of the Fire Department

WHEREAS, Pumper #205 was damaged July 25, 1974 at 2411 California Avenue; and

WHEREAS, Criterion Insurance Company paid the sum \$294.60 to cover such damage, which mony was receipted into the General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$294.60 is hereby transferred from the General Fund to Account No 73-252, Equipment, in the 1974 Budget of the Fire Department for repair to Pumper #205.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-82-74 on the 8th day of October, 1974

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-10-15

RESOLUTION NO. R-83-74

A RESOLUTION authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds (Fort Wayne Wire Die Company) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Wire Die Company authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.51 through 18-4.5-28, inclusive, as amended (hereinafter call the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, fort Wayne Wire Die Realty Company (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Fort Wayne Wire Die Realty Company of economic development facilities, which lease to be guaranteed by Fort Wayne Wire Die Realty Company; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to wit: insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$850,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$850,000 aggregate principal amount of Economic Development Revenue Bonds, Fort Wayne Wire Die Project) of the City (the "Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee unless paid for out of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Bonds and the forms of the Lease, and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bonds. The total principal amount of the Bonds that may be issued is hereby expressly limited to \$850,000.00 provided, however, that Additional Bonds may be issued as herein after provided.

The Bonds shall be subject to redemption prior maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project). Which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Bonds, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Lessee.

SECTION 7. Sale of the Bonds. The Mayor and the Clerk of the City are hereby authorized and directed to sell the Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, and Underwriting Agreement with the Underwriters providing for the sale of the Bonds on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of the premium, if any, and interest on the Bonds, the Mayor and the Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable to order to carry out the purpose of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Bonds, and the securing of the Bonds under the Indenture.

All documents before this meeting, including the Indenture, the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by this execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 235 the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-83-74, on the 8th day of October, 1974

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-10-21

RESOLUTION NO. R-84-74

A RESOLUTION authorizing the issuance and sale of \$1,500,000 Economic Development Revenue Bonds, (Tri-State Pipeline, Inc. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Tri-State Pipeline, Inc. authorizing the execution of the necessary instruments; Providing for pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds.

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is municipal corporation and political subdivision of the State of Indiana and by virtue of IC, 18-6-4.5-1 through 18-4.5-28, inclusive as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make such facilities available to others to overcome insufficient employment opportunities and insufficient diversification of industry to and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Tri-State Pipeline, Inc. (the "Company") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Company agreed to construct economic development facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City and to pay the principal of and interest and premium on the economic development revenue bond hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 19-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of the construction of economic development facilities by the Company and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the Loan Agreement and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bond (Tri-State Pipeline, Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of the other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$1,500,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered the \$1,500,000 aggregate principal amount Economic Development Revenue Bonds Tri-State Pipeline Project) of the City. It is hereby recognized that pursuant to the terms of the Loan Agreement, the balance of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Loan Agreement and unless the context or use indicated another or different meaning or intent and the form of the Bond and the form of the Loan Agreement and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bond. The total principal amount of Bond that may be issued is hereby expressly limited to \$1,500,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bond shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bond shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bond, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Bond or coupons shall have the same force and effect as if manually signed by such officer. The Bond, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the indenture for the equal and ratable payment of the Bond and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bond, except as may be otherwise expressly authorized in the Indenture. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bond or coupons shall cease to be such officer before the delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office under delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Bond, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Company.

SECTION 7. Sale of the Bond. The Mayor and Clerk of the City are hereby authorized and directed to sell the Bond. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, and Underwriting Agreement with the Underwriters providing for the sale of the Bond on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, and identified herein as the Underwriting Agreement, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bond, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that

the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. General. The Mayor and Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of the Project by the Company, the issuance and sale of the Bond and the securing of Bond under the Indenture.

All documents before this meeting, including the Indenture and the Loan Agreement are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Loan Agreement in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 10. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-84-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-09-15

GENERAL ORDINANCE NO. G-26-74

AN ORDINANCE approving a project of the Authority of the City of Fort Wayne to purchase single family homes and land from FHA and other sources for rehabilitation, rental and sale to low income families and approval of a loan of \$200,000 to be repaid by the Housing Authority and guaranteed by the City of Fort Wayne

WHEREAS, the Housing Authority of the City of Fort Wayne desires to extend its project of purchasing repossessed single family residences from the Federal Housing Authority and other sources at favorable prices for rehabilitation, where necessary, for rental and/or resale to low income families in the City of Fort Wayne, Indiana; and

WHEREAS, the Housing Authority of the City of Fort Wayne, Indiana will be able to borrow the sum of \$200,000.00 to fund said project expansion at a favorable annual interest rate of not more than 6.75% to be repaid over a twenty (20) year period if said loan is guaranteed by the City of Fort Wayne; and

WHEREAS, approval must be given by the governing body of the City for any financial assistance given by the City to the Housing Authority pursuant to the Indiana "Housing Cooperation Act", and

WHEREAS, approval must first be given by the governing body of the City for any Housing Authority project initiated under the Indiana "Housing Authorities Act."

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the project expansion of the Housing Authority of the City of Fort Wayne, Indiana, to purchase repossessed single family residences from the Federal Housing Administration and other sources for rehabilitation, where necessary, for rental and/or resale to low income families to the City of Fort Wayne, Indiana is hereby approved.

SECTION 2. That a loan to fund said project by the Housing Authority of the City of Fort Wayne, Indiana, in the sum of \$200,000.00 at an annual interest rate of not more than 6.75% to be repaid by said Authority over a twenty (20) year period, with payment guaranteed by the City of Fort Wayne, Indiana, is hereby approved.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: One
Burns
Absent: One
D. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-26-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-02-09

ZONING ORDINANCE NO. Z-17-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. G7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments therof, and the symbols of the City of Fort Wayne Zoning Map No. G7 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lots 147, 148, 149, 155, 156, and 157 in Delta Heights Addition to the City of Fort Wayne, according to the recorded plat thereof

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight	
Nays: None	
Absent: One	
V. Schmidt	
	Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico

Date: 8-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-17-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-08-12

ZONING ORDINANCE NO. Z-LOST

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. A6

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. A6 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots numbered 14 & 15 in Engle's addition to the City of Fort Wayne, Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. LOST by the following vote:

Ayes: None
 Nays: Eight
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
 Absent: One
 V. Schmidt

Date: 10-8-74

Charles W. Westerman
 City Clerk

BILL NO. S-74-09-21

SPECIAL ORDINANCE NO. S-161-74

AN ORDINANCE approving contracts for the
 remodeling of the Water Construction
 Building on Wallace Street

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, as follows:

LAUER CONSTRUCTION COMPANY - Dated August 30, 1974	
General Construction - Remodeling of City Utilities	
Water Construction Building	\$71,192.00
R & A ELECTRIC, INC. - Dated August 30, 1974	
Electrical Construction - Remodeling of City Utilities	
Water Construction Building	\$ 8,585.00
R & A PLUMBING, INC. - Dated August 30, 1974	
Plumbing, Heating, Ventilating and air conditioning	
Remodeling of City Utilities	
Water Construction Building	<u>\$17,618.00</u>
	\$97,395.00

for a total cost of \$97,395.00, all as more particularly set forth in said Contracts which are on file in the Office of the Board of Public Works, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield Moses Jr.
 Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
 Nays: None
 Absent: One
 V. Schmidt

Date: 10-8-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-161-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
 City Clerk

Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. S-74-09-22

SPECIAL ORDINANCE NO. S-162-74

AN ORDINANCE approving a contract with
ROCKWELL MANUFACTURING COMPANY for materials
for Water Construction

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated August 28, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Rockwell Manufacturing Company, for:

900	5/8" Sealed Register Water Meters	\$26,784.00
800	5/8" x 3/4" Sealed Register Water Meters	<u>23,808.00</u>
		\$50,592.00

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 5266, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-162-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-23

SPECIAL ORDINANCE NO. S-163-74

AN ORDINANCE approving a contract with DEEDS
EQUIPMENT COMPANY for material for Water
Pollution Control Maintenance

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated September 12, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and Deeds Equipment Company, for:

1	Vactor, Model 400 Catch Basin Cleaner	\$36,954.50
---	---------------------------------------	-------------

all as more particularly set forth on CITY UTILITIES PURCHASE ORDER NO. 5307 which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-163-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. X-74-09-24

ANNEXATION ORDINANCE NO. X-03-74

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 1

WHEREAS, the City of Fort Wayne is desirous of annexing the territory commonly known as the "East End Industrial Area" which is more particularly described hereinafter; and

WHEREAS, such territory contains land which is zoned and used for commercial business, and industrial uses; and

WHEREAS, more than one-fourth of the aggregate external boundaries of such territory coincide with the boundaries of the City of Fort Wayne; and

WHEREAS, the City of Fort Wayne has established a definite policy and has developed a fiscal plan to furnish such territory, upon the effective date of this ordinance, with governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the City of Fort Wayne to other areas of the City which have characteristics of topography, patterns of land utilization and population density similar to the territory described herein; and

WHEREAS, such territory is needed now and has been needed by the City of Fort Wayne for its development; and

WHEREAS, the City of Fort Wayne adopted General Ordinance No. 2447 on February 9, 1951, annexing certain territory including that described hereinafter to be effective immediately following its legal publication, which ordinance is now pending before the Circuit Court of Allen County on the question of the validity and sufficiency of a purported remonstrance filed by certain land owners in the area and said remonstrance is now set for hearing on October 18, 1974, on a motion to dismiss filed by the City of Fort Wayne; and

WHEREAS, in 1951 the Town, now City, of New Haven attempted to annex a certain land including the territory described hereinafter, lying between it and the City of Fort Wayne, which annexation was held void by the Indiana Appellate Court on December 29, 1971 for the reason that New Haven did not have jurisdiction to effect such an annexation; and

WHEREAS, on January 17, 1972, the City of New Haven again attempted to annex said land lying between it and the City of Fort Wayne by and ordinance which has been challenged by the City of Fort Wayne in the Allen Superior Court on the ground that the said attempted annexation is void, without jurisdiction, and contrary to the statutes of the State of Indiana.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory is hereby annexed and made a part of the corporation of the City of Fort Wayne, Indiana, and shall be and is hereby, considered a part of said city, to-wit:

Being part of Section 8, 9, 16, and 17, Township 30 North, Range 13 East, and bounded on the north by the Norfolk and Western Railroad said line also being the existing corporate limits, bounded on the east by the east line of the west one half of the west one half of Section 9 and 16, Township 30 North, Range 13 East, bounded on the south by Moeller and Meyer Roads, bounded on the west by the Fort Wayne Corporate limits.

More particularly described as follows:

Beginning at the intersection of the north right-of-way line of the Norfolk and Western Railroad and the east line of the West one-half of the northwest one-quarter of Section 9, Township 30 North, Range 13 East, said intersection also being the Fort Wayne corporate limits as established by Annexation Ordinance X-13-68; thence south along the east line of the west one-half of the west one-half of northwest and southwest one-quarters of Section 9, Township 30 North, Range 13 East; thence continuing south along the east line of the west one-half of the west one-half of the northwest one-quarter of Section 16, Township 30 North, Range 13 East, to its intersection with the north right-of-way line of Moeller Road; thence west, along the north right-of-way line of Moeller Road to its intersection with the west right-of-way line of Meyer Road; thence in a southwesterly direction along the west right-of-way line of Meyer Road to its intersection with the south right-of-way line to the Penn Central Railroad and the north right-of-way line of Moeller Road; thence in northwesterly and west direction following the north right-of-way line of Moeller Road to intersection with the existing Fort Wayne corporate limits as established by Annexation Ordinance No. G-106-67; thence in a northerly direction along the existing Fort Wayne corporate limits as described in Annexation Ordinance No. G-106-67 to its intersection with the north right-of-way line of the Norfolk and Western Railroad; thence in an easterly direction along the north right-of-way line of the Norfolk and Western Railroad, said line also being the existing Fort Wayne corporate limits as established by Annexation Ordinances No. X-05-68 and X-13-68, to the place of beginning.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 1 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication, and the annexation provided for herein shall take effect on the date General Ordinance No. 2447 of the City of Fort Wayne, Indiana, is ruled to be of no force or effect by a court of competent jurisdiction, or is repealed by proper ordinance of the City of Fort Wayne, Indiana, and should neither one of these events occur prior to January 1, 1975, then and in such event the said annexation shall take effect on January 1, 1975, provided, however, that in the event it is determined prior to January 1, 1975, that the aforesaid remonstrance to General Ordinance 2447 is invalid and/or insufficient, then the effective date of this ordinance shall be stayed pending further action of this Council.

James Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, Stier, Talarico
Nays: None
Absent: One
V. Schmidt

Date: 10-8-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance NO. X-03-74 on the 8th day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1974, at the hour of 10:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 10th day of October, 1974, at the hour of 3:30 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. A-74-10-01

APPROPRIATION ORDINANCE NO. A-22-74

AN ORDINANCE appropriating certain funds from the unobligated balance of Motor Vehicle Highway Fund to Account No. 880-425 in the 1974 Budget of the Street Department.

WHEREAS, the slurry seal applied to the Smith Field Runways caused an extraordinary drain on the slurry emulsion account in the 1974 Budget of the Street Department; and

WHEREAS, the Board of Aviation will be paying the Street Department for the work; and

WHEREAS, it is necessary to transfer money into the Slurry Emulsion Account from the revenues received from the Board of Aviation.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the unobligated balance of Account No. 28-880 Motor Vehicle Highway Fund the sum of \$10,000.00 to Account No. 880-425, Slurry Emulsion in the 1974 Budget of the Street Department.

SECTION 2. That the unobligated balance of the Motor Vehicle Highway Fund, Account No. 28-880 is hereby reduced in the amount of \$10,000.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-22-74 on the 22nd day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. A-74-10-18

APPROPRIATION ORDINANCE NO. A-23-74

AN ORDINANCE appropriating certain funds from the unobligated balance of General Fund to the 1974 Budget of the City Clerk.

WHEREAS, there are insufficient funds in the 1974 Budget of the City Clerk for the balance of 1974.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That there is hereby transferred from the unobligated balance of the General Fund the following sums into the following Accounts:

650-212, Postage \$1,200; 650-241 Printing \$1,400; 650-242 Legal Notices \$2,000; 650-361 Official Records \$600 and 650-726 Computer Rental \$340.00.

SECTION 2. That the unobligated balance of the General Fund is hereby reduced in the amount of \$5,540.00.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Appropriation Ordinance No. A-23-74 on the 22nd day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samual J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-03

SPECIAL ORDINANCE NO. S-164-74

AN ORDINANCE approving a certain bid document with PLANTATION SUPPLY CO., INC. for labor and material for landscaping of Reservoir Park

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. 613 dated September 20, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners and PLANTATION SUPPLY CO., INC., as follows:

Landscape Installation Reservoir Park
Supply plant material, labor and material
required for installation

\$22,094.00

as more specifically set forth in said bid document Ref. No. 613 and Purchase Order No. 3-27834, which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-164-74 on the 22nd day of October, 1974.

ATTEST:	(SEAL)
Charles W. Westerman	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-05

SPECIAL ORDINANCE NO. S-165-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for improving Council Drive

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract between JOHN DEHNER, INC., and the City of Fort Wayne, by and through its Mayor and the Board of Works, for improving Council Drive, as follows:

Council Drive from the east property line of Merchandise Place to the west edge of the pavement of Industrial Road, approximately 564 Feet

for a total cost of \$56,152.44, of which the City will pay approximately \$39,346.64 and the balance to be handled through Barrett Law, all as more particularly set forth in said contract, which is on file in the Office of the Board of public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passed and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the common council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-165-74 on the 22nd day of October, 1974.

ATTEST:	(SEAL)
Charles W. Westerman	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SPECIAL ORDINANCE NO. S-166-74

AN ORDINANCE authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Wire Die Realty Co. authorizing execution of the Lease, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bonds.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased for Fort Wayne Wire Die Realty Company and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on _____, approving the financing of said industrial facilities as described in said Report to be financed by the loan to Fort Wayne Wire Die Realty Company of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Fort Wayne Wire Die Realty Company for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project) in the total principal amount of Eight Hundred Fifty Thousand Dollars (\$850,000.00) for the purpose of acquiring funds to loan to Fort Wayne Wire Die Realty Company so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Fort Wayne Wire Die Realty Company on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed -----per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Fort Wayne Wire Die Realty Company.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signature of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project), and after the issuance of said bonds,

this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-166-74 on the 22nd day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-20

SPECIAL ORDINANCE NO. S-167-74

AN ORDINANCE authorizing the issuance and sale of a \$1,500,000 Economic Development Revenue Bond (Tri-State Pipeline, Inc. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by Tri-State Pipeline, Inc., authorizing execution of the Loan Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bond.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased by Tri-State Pipeline, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and ~~that said Report be approved~~ and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on _____, 1974, approving the financing of said industrial facilities described in said Report to be financed by the loan to Tri-State Pipeline, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Loan Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to Tri-State Pipeline, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Loan Agreement, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Loan Agreement and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bond (Tri-State Pipeline Project) in the total principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of acquiring funds to loan to Tri-State Pipeline, Inc. so that it may acquire and construct the project (all as more particularly set out in the Loan Agreement and Indenture of Trust) which bond will be payable as to principal, premium, if any, and interest primarily from payments by Tri-State Pipeline, Inc. on its Note or Notes made to the Trustee pursuant to the Loan Agreement and from other sources as provided in the Loan Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bond at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Tri-State Pipeline, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bond to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bond shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bond (Tri-State Pipeline Project), and after the issuance of said bond, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bond or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-67-74 on the 22nd day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-09-29

SPECIAL ORDINANCE NO. R-168-74

AN ORDINANCE amending Chapter 29, Section 18 of the Municipal Code of the City of Fort Wayne, Indiana, 1946 as amended by Special Ordinance S-409-70 as further amended by Special Ordinance No. S-66-73 and concerning taxicabs

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 29 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by Special Ordinance No. S-409-70 as further amended by Special Ordinance No. S-66-73 be and the same is hereby further amended as follows:

(a) Section 18, Paragraph 2, concerning the charges to be made for the carrying of passengers by taxicabs of the City of Fort Wayne, of Chapter 29 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is further amended as follows:

"Section 18. Fares and Taximeters" by deleting Paragraph 2, sub-paragraph 1 through 5 thereof and by inserting therein the following:

The following fares shall be charged for carrying of passengers by taxicabs:

- 1) From one to and including four passengers, for the first one-sixth mile or fraction thereof, the fare shall be sixty cents (60¢);
- 2) For each additional one-sixth (1/6) mile or fraction thereof, the fare shall be an additional ten cents (10¢);
- 3) An additional charge of forty cents (40¢) shall be made for transporting over four passengers;
- 4) For each one minute of waiting time or fraction thereof, the fare shall be an additional ten cents (10¢) or Six Dollars (\$6.00) per hour;

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-168-74 on the 22nd day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock. A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-10-22 (as Amended)

GENERAL ORDINANCE NO. G-27-74

AN ORDINANCE of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said

City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith.

WHEREAS, the Board of Public Works of the City of Fort Wayne has found that it would be for the best interest of said City and its citizens to provide for the construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, and the acquisition of rights-of-way necessary or incidental thereto; and has determined that the estimated cost of said projects and the incidental expenses necessary to be incurred in connection therewith, including the issuance of bonds, will be in the approximate amount of Three Million Seven Hundred and Fifty Thousand Dollars (\$3,750,000.00); and

WHEREAS, the Board of Public Works has filed a request for an appropriation in the amount Three Million Seven Hundred and Fifty Thousand Dollars (\$3,750,000.00) for said purposes, which request has been approved by the City Controller with the recommendation that the funds necessary to cover such appropriation be obtained by the issuance and sale of general obligation bonds of the City; and

WHEREAS, a petition has been filed under the provisions of Section 6-1-46-7 of the Indiana Code of 1971 by more than fifty (50) owners of taxable real estate in the City of Fort Wayne, requesting the Common Council to issue bonds in an amount not exceeding Three Million Seven Hundred and Fifty Thousand Dollars (\$3,750,000.00) for the purpose of procuring funds to be applied on the cost of the projects hereinbefore described; and

WHEREAS, the Council now finds that said projects are necessary and will be of general benefit to the City and its citizens; now therefore

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the City of Fort Wayne (hereinafter sometimes referred to as the "City"), by and through its Board of Public Works, proceed with the construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, as recommended by the Board of Public Works.

SECTION 2. For the purpose of providing funds with which to pay the cost of said projects and the incidental expenses necessary to be incurred in connection therewith, the City shall make a loan in the amount of Three Million Seven Hundred and Fifty Thousand Dollars (\$3,750,000.00). In order to procure said loan, the City Controller is hereby authorized and directed to have prepared and to issue and sell the negotiable general obligation bonds of the City, to be designated as "Municipal Bonds of 1974" in the aggregate principal amount of Three Million Seven Hundred and Fifty Thousand Dollars (\$3,750,000.00), which bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000.00), shall be numbered consecutively from 1 to 750 inclusive, shall be dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate not exceeding Seven per cent (7%) per annum (the exact rate to be determined by the bidding), which interest shall be payable on the first day of July, 1975 and semi-annually thereafter on the first days of January and July in each year and shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable at such bank or banks as shall be designated by the successful bidder and approved by the City Controller and at least one of which banks shall be in the City of Fort Wayne, Indiana. The Bonds shall mature serially in the amounts and on the dates as follows:

\$ 80,000 on July 1, 1975
 80,000 on January 1, 1976
 85,000 on July 1, 1976
 85,000 on January 1, 1977
 90,000 on July 1, 1977
 90,000 on January 1, 1978
 95,000 on July 1, 1978
 100,000 on January 1, 1979
 100,000 on July 1, 1979
 105,000 on January 1, 1980
 105,000 on July 1, 1980
 110,000 on January 1, 1981
 110,000 on July 1, 1981
 115,000 on January 1, 1982
 120,000 on July 1, 1982
 125,000 on January 1, 1983
 125,000 on July 1, 1983
 130,000 on January 1, 1984
 135,000 on July 1, 1984
 140,000 on January 1, 1985
 140,000 on July 1, 1985
 145,000 on January 1, 1986
 150,000 on July 1, 1986
 155,000 on January 1, 1987
 160,000 on July 1, 1987
 165,000 on January 1, 1988
 170,000 on July 1, 1988
 175,000 on January 1, 1989
 180,000 on July 1, 1989
 185,000 on January 1, 1990

Said bonds shall be signed in the name of the City of Fort Wayne with the facsimile signature of the Mayor, countersigned with the facsimile signature of the City Controller, and attested by the City Clerk who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed with the facsimile signature of the City Controller. Said bonds shall, in the hands of bonafide holders, have all the qualities of negotiable instruments under the Uniform Commercial Code.

SECTION 3. The form and tenor of said bonds and the interest coupons to be attached thereto shall be substantially as follows, to-wit:

UNITED STATE OF AMERICA
STATE OF INDIANA--COUNTY OF ALLEN

No. _____

\$5,000.00

CITY OF FORT WAYNE
MUNICIPAL BOND OF 1974

The City of Fort Wayne, in Allen County, Indiana, for value received hereby acknowledges itself indebted and promises to pay to the bearer hereof the principal sum of

FIVE THOUSAND DOLLARS

on the first day of _____, 1974____, and to pay interest thereon from the date hereof until the principal is paid, at the rate of _____ per cent (____%) per annum, payable on the first day of July, 1975, and semi-annually thereafter on the first day of January and July in each year, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the _____, in the City of Fort Wayne, Indiana, or at the option of the holder at the _____.

This bond is one of an authorized issue of Seven Hundred and Fifty (750) bonds of the City of Fort Wayne, Indiana, of like date, denomination, tenor and effect, except as to dates of maturity, aggregating Three Million Seven Hundred and Fifty Thousand dollars (\$3,750,000.00), numbered consecutively from 1 to 750 inclusive, issued pursuant to an ordinance adopted by the Common Council of the City on the _____ day of _____, 1974, entitled "An Ordinance of the City of Fort Wayne, Indiana, authorizing the issuance and sale of bonds of said City for the purpose of providing funds to be applied on the cost of construction and reconstruction of, and other improvements to, streets, highways and thoroughfares in said City, the acquisition of rights-of-way necessary or incidental thereto, and the cost of acquiring and constructing new facilities for the street department, together with all incidental expenses necessarily incurred in connection therewith," and an act of the General Assembly of the State of Indiana entitled "An Act concerning municipal corporations," approved March 6, 1905, and all acts amendatory thereof and supplemental thereto.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law; that this bond and said total issue of bonds is within every limit of indebtedness prescribed by the constitution and laws of the State of Indiana, and that the full faith and credit of the City of Fort Wayne, together with all of its taxable property, both real and personal, are hereby irrevocably pledged to the punctual payment of the principal and interest of this bond according to its terms.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, Indiana, by ordinance of its Common Council, has caused this bond to be signed in its corporate name by placing thereof the facsimile signature of its Mayor, countersigned by placing thereon the facsimile signature of its City Controller, its corporate seal to be hereunto affixed and attested by its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signature of said City Controller, as of the first date of _____, 197____.

CITY OF FORT WAYNE

By _____
Mayor

Countersigned:

City Controller

Attest:

City Clerk

(Interest Coupon)

Coupon No. _____

\$ _____

On _____, 19____,
 the City of Fort Wayne, Indiana, will pay to bearer at the _____ in the City of Fort
 Wayne, Indiana, or at the option of the holder at the _____,
 Dollars in lawful money of the United States of America, being the interest then due on its Municipal
 Bond of _____, dated _____, No. _____.

CITY OF FORT WAYNE

By _____ (Facsimile)
 City Controller

SECTION 4. As soon as can be done after the passage of this ordinance, the City Clerk shall give notice of the filing of the petition for the determination to issue bonds. Said notice shall be published once each week for two weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal-Gazette, newspapers of general circulation published in the City of Fort Wayne, and said notice shall also be posted in three public places in the City, as provided in IC, 1974, 6-1-46-7 and 6-1-1-25.

Said bonds shall not be advertised for sale prior to the expiration of the period during which taxpayers may file remonstrances or objecting petitions to the issuance of said bonds. In the event a remonstrance shall be filed by the owners of taxable real estate under the provisions of I.C. 1971, 6-1-46-7, then no further steps towards the issuance of said bonds shall be taken unless and until the Common Council shall have determined that such remonstrance is insufficient. In the event an objecting petition or petitions are filed by taxpayers under the provisions of IC, 1971, 6-1-1-25, then no further steps towards the issuance of said bonds shall be taken unless and until the State Board of Tax Commissioners shall issue its order approving the issuance of said bonds. In the event it shall be determined by the State Board of Tax Commissioners, or otherwise, that the whole amount of the bonds herein authorized shall not be issued, then the City Controller shall be authorized to advertise and sell a lesser amount of bonds, and the bonds not issued and sold shall be the bonds of the longest maturity of maturities.

SECTION 5. Prior to the sale of said bonds, the City Controller shall cause to be published a notice of such sale once each week for two weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal Gazette, and one time in the Indianapolis Commercial. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. Said bond sale notice shall state the time and place of sale, the purpose for which the bonds are being issued, the total amount thereof, the maximum rate of interest thereon, the time and place of payment, the terms and conditions on which bids will be received and the sale made, and such other information as the City Controller shall deem necessary.

All bids for said bonds shall be sealed and shall be presented to the City Controller at his office, and said Controller shall continue to receive all bids offered until the hour named on the day fixed in the bond sale notice, at which time and place he shall open and consider said bids. Bidders for said bonds shall be required to name the rate of interest which the bonds are to bear not exceeding seven per cent (.7%) per annum, and such interest rate shall be in multiples of 1/8 of one per cent (.125%) and not more than one interest rate shall be named by each bidder. The Controller shall award the bonds to the highest responsible and qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest at the rate named to the date of delivery, shall be considered. The Controller shall have full right to reject any and all bids. In the event no acceptable bid is received at the time fixed in said notice for the sale of said bonds, the Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days, without readvertising, but during such continuation no bids shall be accepted which are lower than the highest bid received at the time fixed for such sale in the bond sale notice.

Prior to the delivery of said bonds the City Controller shall be authorized to obtain a legal opinion as to the validity of said bonds from Ice Miller Donadio & Ryan, bond counsel of Indianapolis, and to furnish such opinion to the purchaser of said bonds. The cost of said opinion shall be considered a part of the cost of said projects, and shall be paid out of the proceeds of said bonds.

SECTION 6. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto in the form and manner herein provided. After said bonds shall have been properly executed, the City Controller shall deliver the same to the City Treasurer, and shall take his receipt therefor, and upon the consummation of the sale of said bonds the City Controller shall then certify to the City Treasurer the amount which the purchaser is to pay for the same; thereupon, the City Treasurer shall be authorized to receive from the purchaser the amount so certified by the Controller and to deliver the bonds to such purchaser.

SECTION 7. This Ordinance shall be in full force and effect immediately upon its passage, approval by the Mayor and legal publication thereof.

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
 Burns, Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
 Nays: One
 D. Schmidt
 Absent: One
 Moses
 Date: 10-22-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-27-74 on the 22nd day of October, 1974.

Attest:

(Seal)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 22nd day of October, 1974, at the hour of 9:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of October, 1974, at the hour of 9:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL No. Z-74-08-10

ZONING ORDINANCE NO. Z-18-74

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. F2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. F2 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot # 180 Harvester Park Addition, City of Fort Wayne, Indiana -
commonly known as 3403 East Pontiac Street

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map No. Z-18-74 on the 22nd day of October, 1974.

ATTEST:

(Seal)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-28-74

GENERAL ORDINANCE NO. G-28-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Rathert Lane in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Rathert Lane having been filed with the Fort Wayne City Plan Commission on September 23, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Rathert Lane in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Rathert Lane, an East-West street approximately Twenty-Five (25) feet in width, lying North of Lot #6 in Fernhill Place Amended Addition to the City of Fort Wayne, Indiana and lying North of the vacated alley, 12 feet in width, lying East of said Lot 6, according to the plat thereof recorded in Plat Record 14, Page 129, in the office of the Recorder of Allen County, Indiana

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-28-74 on the 22nd day of October, 1974

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-10-10

GENERAL ORDINANCE NO. G-29-74

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a portion of Shoreworth
Trail in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Shoreworth Trail having been filed with the Fort Wayne City Plan Commission on 19th day of August, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Shoreworth Trail in Fort Wayne, Allen County, Indiana, to-wit:

Shoreworth Trail from Penmoken Drive to the Baer Field Expressway of Lakeshores, Section II, an Addition to the City of Fort Wayne, Indiana

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-29-74 on the 22nd day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-10-11

GENERAL ORDINANCE NO. G-30-74

AN ORDINANCE amending General Ordinance No. G-97
by authorizing the vacation of a certain
alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on September 23, 1974 following a public hereon thereon, all in accordance with Section 44, Chapter 174 of

the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The north-south alleys, lying between Pemberton Drive and Randallia Drive, extending south from the south right-of-way of Delaware Avenue to the north right-of-way of Nevada Avenue; extending south from the south right-of-way of Nevada Avenue to the north right-of-way of Vermont Avenue; and extending south from the south right-of-way of Vermont Avenue to the north right-of-way of Lake Avenue.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-30-74 on the 22nd day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T..

Ivan A. Lebamoff
Mayor

BILL NO. R-74-08-32

RESOLUTION NO. R-85-74

A RESOLUTION of the Common Council of the City of Fort Wayne, approving a sketch plan of development for the West Central Neighborhood Development Program Project (IND. A-14)

WHEREAS, on March 19, 1973, the Fort Wayne Redevelopment Commission did adopt a Declaratory Resolution designating the following described area as blighted, deteriorated, and deteriorating within the meaning of the Redevelopment of Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as amended and supplemented):

Boundaries of West Central Renewal Area (NDP No. 2)

Beginning at a point formed by the intersection of the north right-of-way line of Berry Street and the east right-of-way line of Fulton Street, thence south along the east right-of-way line of Fulton Street to the north right-of-way line of Jefferson Street; thence east along said right-of-way line of Webster Street; thence south along said right-of-way line to the south right-of-way line of Baker Street; thence west along said right-of-way line for a distance of 20 feet more or less to a point; thence south along a line parallel to the right-of-way line of Webster Street, if extended, to the Penn Central Railroad track; thence west along said track to the centerline of Swinney Park Place; thence north along said centerline to the northerly right-of-

way line of Jefferson Street; thence northeasterly along said right-of-way line to the west right-of-way line of Garden Street; thence north for a distance of 75 feet more or less to a point; thence west along a line perpendicular to Garden Street for a distance of 220 feet more or less to a point; thence north along a line to a point on the south right-of-way line of Washington Street, said point being 165 feet more or less west of the west right-of-way line of Garden Street; thence north along a line to the center of St. Mary's River; thence northeasterly along said center to the northerly right-of-way line of Van Buren Street; thence south along said right-of-way line to the north right-of-way-line of Berry Street; thence east along said right-of-way line to the east right-of-way line of Fulton Street, which is the point of beginning.

WHEREAS, said Declaratory Resolution was subsequently approved by City Plan Commission on March 22, 1973 and Common Council of the City of Fort Wayne on March 27, 1973 and confirmed at a Public Hearing on April 25, 1973; and

WHEREAS, the West Central Neighborhood Association and West Central Project Area Committee has in conjunction with the City Plan Commission prepared and approved a Sketch Plan indicating the comprehensive plan for development of the hereon described area and has submitted same to the Fort Wayne Redevelopment Commission for review and approval.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

That the Sketch Plan of Development for the West Central Area, adopted July 15, 1974 by the West Central Project Area Committee and Neighborhood Association, is hereby approved.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-85-74 on the 22nd day of October, 1974.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-10-12

RESOLUTION NO. R-86-74

A RESOLUTION authorizing the City of Fort Wayne to enter into a contract with Historic Fort Wayne, Inc. and Allen County-Fort Wayne Historical Society, Inc., for the construction, development, operation and ownership of "Old Fort Wayne."

WHEREAS, the City of Fort Wayne intends to enter into a contract for the construction, development, and operation of "Old Fort Wayne" by Historic Fort Wayne, Inc., with assistance from the Allen County-Fort Wayne Historical Society, Inc.; and

WHEREAS, the City will develop visitor off-street parking for "Old Fort Wayne" at its Street Department Garage on North Clinton Street, and will landscape and develop its land on the West side of St. Mary's River; and

WHEREAS, the City will become the owner of said "Old Fort Wayne" following its construction and development, by receiving a deed for same from Historic Fort Wayne, Inc., with the agreement that said

Historic Fort Wayne, Inc., will lease the same from the City for an initial ten (10) year period following completion of construction with a renewal option of ten (10) years; and

WHEREAS, all parties are desirous of entering into a written contract covering all aspects of the project so that each will be fully apprised of its responsibilities in the development, construction, and operation of "Old Fort Wayne".

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the City of Fort Wayne, by and through its Mayor, be and it hereby is authorized to enter into a contract with Historic Fort Wayne, Inc. and Allen County-Fort Wayne Historical Society, Inc. for the construction, development, operation and ownership of "Old Fort Wayne", with a conveyance of said Project after completion of construction to the City and a lease of the same by Historic Fort Wayne, Inc., for an initial ten (10) year period with an option to renew for ten (10) additional years, all as more particularly set forth in said Contract, which is on file in the Office of Community Development and Planning, and is by reference incorporated herein and made a part hereof.

John Nuckole
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Abstained: One
Burns
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-86-74 on the 22nd day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-13

SPECIAL ORDINANCE NO. S-169-74

AN ORDINANCE authorizing the execution of a deed to Levin & Sons, Inc. for certain real estate owned by the City of Fort Wayne

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

Part of the South half of Section 5, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the intersection of the North line of the New York, Chicago, & St. Louis Railroad, with the section line between Sections 5 & 6 in Township 30 North, Range 13 East; thence S 74°-30' E, on and along said North line, 250.0 feet to the true point of beginning; thence continuing S 74°-30' E on and along said North line, 54.92 feet; thence N 39°-00' E, 299.6 feet; thence N 59°-40' W, 323.1 feet to the South line of a 20 foot sewer easement; thence N 80°-31' W on and along said South line 76.76 feet; thence S 16°-01' E (recorded S 16°-03' E), 409.9 feet to the true point of beginning, containing 1.649 acres of land, subject to an easement for a road to cross-over the above described parcel to dump sludge at sludge lagoon, the centerline of said existing road is described as follows:

Beginning at a point on the West line of the above described parcel, said point being situated 20.9 feet S 16°-01' E from the Northwest corner thereof; thence S 82°-36' E, 107.1 feet to the Northerly line of the above described parcel.

Being the same premises conveyed to the Grantor by The Stadler Products Company, by deed dated July 27, 1931 and recorded in Book #331, page # 254, in the office of the Recorder of Allen County, Indiana.

Subject to the Grantors right to an easement to cross over property to dump sludge at sludge lagoons between buildings and river. (road)

Subject to Grantees using property for all lawful means and to abide by all laws and ordinances of the State of Indiana and the City of Fort Wayne and County of Allen

WHEREAS, this Council has determined that it will be in the best interest of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and on behalf of the City of Fort Wayne, to execute a deed to Levin & Sons, Inc., for the parcel of real estate herein described, such deed to be in the form of a Warranty Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage.

Winfield Moses Jr.
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-169-74 on the 22nd day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-04

SPECIAL ORDINANCE NO. S-171-74

AN ORDINANCE approving a contract with BERCOT, INC. for Sanitary Sewer in area of Reckeweg Road and Ridgelane Drive

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated August 19, 1974 between BERCOT, INC. and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, for Sanitary Sewer, as follows:

Beginning at an existing sanitary manhole located 5+ L.F. North of and 13+ L.F. East of the centerline intersection of Palatine Drive and Reckeweg Road; thence due North 880+ L.F. to a proposed manhole located 13+ L.F. East of and 10+ L.F. South of and parallel to the centerline of Ridgelane Drive, a distance of 900+ L.F. terminating at a proposed cleanout.

LATERAL "A"

Beginning at a proposed manhole located 13+ L.F. East of and 10+ L.F. South of the centerline intersection of Reckeweg Road and Ridgelane Drive; thence due North 440+ L.F. terminating at a proposed bulkhead

Said sewer shall be 8, 10 and 12 inches in diameter

for a total cost of \$72,720.00, of which the City will be paying approximately \$4,433.00 plus an additional \$10,000.00 for storm drainage, the balance to be paid through Barrett Law, all as more particularly set forth in said Contract, which is on file in the office of the Board of Public Works, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-171-74 on the 22nd day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. X-74-10-14

ANNEXATION ORDINANCE NO. X-04-74

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 3

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

A part of the Northeast quarter of the Southeast quarter of Section 28, Township 31 North, Range 12 East, more particularly described as follows:

Beginning at the Northwest quarter of the Southeast quarter of Section 28; thence South on the West line of said Northeast quarter of the Southeast quarter, a distance of 1326 feet to the Southeast quarter; thence East along said South line, a distance of 1035 feet to the West right of way line of the G. R. & I Railroad; thence Northerly along the West right of way line of the said railroad to the North line of said Northeast quarter of the Southeast quarter of Section 28; thence West along said North line to the place of beginning, containing 34.96 acres, more or less

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect after its passage approval by the Mayor and sixty days after the second publication thereof as provided by law.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None
Absent: One
Moses

Date: 10-22-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-74 on the 22nd day of October, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebanoff
Mayor

BILL NO. S-74-10-24

SPECIAL ORDINANCE NO. S-172-74

AN ORDINANCE authorizing the issuance and sale of a \$250,000 Economic Development Revenue Bond (J.E. & B. By Pass & 27, Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by J.E. & B. By Pass & 27, Inc., authorizing execution of the Loan Agreement, providing for the pledge of revenues for the payment of said bonds, authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and authorizing the sale of said bond.

WHEREAS, the Fort Wayne Development Commission has developed and filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne Development Commission Regarding Facilities to be Purchased by J.E. & B. By Pass & 27, Inc." and the City Clerk has presented the same to the Common Council; and

WHEREAS, the Fort Wayne City Plan Commission has filed its written comments concerning said proposed plan and approving the same; and

WHEREAS, it is in the best interest of the City of Fort Wayne and the economic development thereof, that said Report be approved and that the acquisition and construction of the industrial facilities mentioned in said report be implemented; and

WHEREAS, the Fort Wayne Development Commission adopted a resolution on September 5, 1974, approving the financing of said industrial facilities as described in said Report to be financed by the loan to J.E. & B. By Pass & 27, Inc. of proceeds from the issue and sale of revenue bonds of the City of Fort Wayne, and approving a Loan Agreement, Mortgage and Indenture of Trust, and finding that the proposed financing complies with the purposes and provisions of I.C. 1971, 18-6-4.6; and

WHEREAS, said Resolution was presented to the City Clerk for presentation to the Common Council of the City of Fort Wayne and was so presented.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The above mentioned Report of the Fort Wayne Development Commission together with the comments thereon by the Fort Wayne Plan Commission be accepted and ordered filed.

SECTION 2. The Common Council of the City of Fort Wayne gives its approval of the project reported on in the above mentioned Report of the Fort Wayne Development Commission.

SECTION 3. The financing of industrial facilities by the issuance and sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof to J.E. & B. By Pass & 27, Inc. for the purpose of acquiring and constructing the recreational facilities referred to in the Loan Agreement, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. The form of the Loan Agreement and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bond (J.E. & B. By Pass & 27, Inc. Project) in the total principal amount of Two Hundred and Fifty Thousand Dollars (\$250,000) for the purpose of acquiring funds to loan to J.E. & B. By Pass & 27, Inc. so that it may acquire and construct the project (all as more particularly set out in the Loan Agreement and Indenture of Trust) which bond will be payable as to principal, premium, if any, and interest primarily from payments by J.E. & B. By Pass & 27, Inc. on its Note or Notes made to the Trustee pursuant to the Loan Agreement and from other sources as provided in the Loan Agreement or as otherwise provided in the above described Indenture of Trust. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bond at a rate of interest not to exceed _____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of J. E. & B. By Pass & 27, Inc.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bond authorized herein. The signatures of the Mayor and City Clerk on the bond and coupons may be facsimile signature. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bond to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bond shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bond (J.E. & B. By Pass & 27, Inc. Project), and after the issuance of said bond, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bond or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Talarico
Nays: One
D. Schmidt,
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance, No. S-172-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock, P.M., E.S.T.
Ivan A. Lebamoff, Mayor

BILL NO. S-74-10-25

SPECIAL ORDINANCE NO. S-173-74

AN ORDINANCE approving a contract with
A. GROSJEAN & SON for repairs to certain
intersections and areas of Pettit Avenue

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated October 3, 1974 between the City of Fort Wayne, by and through
its Mayor and the Board of Public Works and A. GROSJEAN & SON, for:

Concrete Pavement Replacement as follows:

Intersection Pettit Avenue and Hanna Streets	\$2,224.00
Northwest Quarter Hanna and Pettit Intersection	852.60
Pettit Avenue - South Lane in front of Southgate Shopping Center	<u>1,928.00</u>
	\$5,004.60

all as more particularly set forth on Purchase Order No. 3-28203, which is on file in the Office of the
Department of Purchasing, is by reference incorporated herein and made a part hereof, is hereby in all
things, ratified, confirmed, and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and ap-
proval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted,
placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance
No. S-173-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974,
at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock, P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-26

SPECIAL ORDINANCE NO. S-174-74

AN ORDINANCE approving a certain bid document
with RCA for equipment for Board of Safety

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 611 dated September 12, 1974, between the City of Fort

Wayne, by and through its Mayor and the Board of Public Safety, and RCA, for:

14 Single Frequency Standard Squelch Portable Radios w/leather case and strap	\$8,586.00
14 MI 559707B Additional Rechargable batter	644.00
14 Single Unit AC Chargers	<u>574.00</u>
	\$9,804.00

all as more specifically set forth in said bid document Ref. No. 611 and Purchase Order No. 3-28551, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Nuckols, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74..

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-174-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-27

SPECIAL ORDINANCE NO. S-175-74

AN ORDINANCE approving a contract with ASPHALT EQUIPMENT COMPANY for equipment to manufacture asphalt for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated August 10, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ASPHALT EQUIPMENT COMPANY, for:

One (1) Mixer, Automated continous drum type Asphalt with superstructure, Forty (40) ton per hour capacity

Item 1 thru 12 cover subassembly components making up the complete free standing unit. \$106,000.00

Item 13 covers site clearance. 2,500.00

\$108,500.00

all as more particularly set forth on Purchase Order No. 3-28701, which is on file in the Office of the Department of Purchasing, is by reference incorporated herein and made a part hereof, is hereby in all things, ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-175-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-10-23

RESOLUTION NO. R-88-74

A RESOLUTION authorizing the issuance and sale of \$250,000 Economic Development Revenue Bonds, (J.E. & B. By Pass & 27, Inc. Project) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for use by J.E. & B. By Pass & 27, Inc. authorizing the execution of the necessary instruments; Providing for the pledge of revenues for the payment of said Bonds; Authorizing a mortgage and indenture of trust appropriate for the protection and disposition of such revenues; and Authorizing the sale of said bonds

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City" is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-4.5-28, inclusive as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to make such facilities available to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development revenue bonds to pay all costs of purchase or construction of such economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, J.E. & B. By Pass & 27, Inc. (the "Company") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Company has agreed to construct economic development facilities and thereby create new employment opportunities and provide diversification of industry in and near the area of the City and to pay the principal of and interest and premium on the economic development revenue bond hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the financing of the construction of economic development facilities by the Company, and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expense thereof, the number of jobs, the estimated payroll on account of the acquisition of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the Loan Agreement and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the Commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bond (J.E. & B. By Pass & 27, Inc. Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of the other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to-wit: insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$250,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered the \$250,000 aggregate principal amount Economic Development Revenue Bonds J.E. & B. By Pass & 27, Inc. Project) of the City. It is hereby recognized that pursuant to the terms of the Loan Agreement, the balance of the proceeds of additional parity bonds (the "Additional Bonds") as identified in the Indenture.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Loan Agreement and unless the context or use indicated another or different meaning or intent and the form of the Bond and the form of the Loan Agreement and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bond. The total principal amount of Bond that may be issued is hereby expressly limited to \$250,000, provided, however, that Additional Bonds may be issued as hereinafter provided.

The Bond shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bond shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the Bond, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Bond or coupons shall have the same force and effect as if manually signed by such officer.

The Bond, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bond and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bond, except as may be otherwise expressly authorized in the Indenture. The Bond and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bond or coupons shall cease to be such officer before the delivery of such Bond, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office under delivery.

SECTION 6. Additional Bonds. The City may authorize the issuance of Additional Bonds upon the terms and conditions provided the same rank as the Bond, but shall bear such date or dates, bear such interest rate or rates, have such maturity dates, redemption dates and redemption premiums, and be issued at such prices as shall be approved in writing by the City and the Company.

SECTION 7. Sale of the Bond. The Mayor and Clerk of the City are hereby authorized and directed to sell the Bond. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest, an Underwriting Agreement with the Underwriters providing for the sale of the Bond on terms consistent with the Bond Resolution, and the Clerk is hereby directed to insert a copy of the Underwriting Agreement, in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of such instrument submitted to this Common Council approved hereby, and identified herein as the Underwriting Agreement, and to keep the same on file.

SECTION 8. Indenture. In order to secure the payment of the principal of and interest on the Bond, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. General. The Mayor and Clerk be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of the Project by the Company, the issuance and sale of the Bond and the securing of the Bond under the Indenture.

All documents before this meeting, including the Indenture and the Loan Agreement are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Loan Agreement in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 10. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 11. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effective upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 12. Effective Date. This Bond Resolution shall be in full force immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Kraus, Moses, Nuckols, V. Schmidt, Talarico
Nays: One
D. Schmidt
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-88-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-05

RESOLUTION NO. R-89-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Police Department

WHEREAS, Police Vehicle # 14 was damaged in an accident on June 4, 1974; and

WHEREAS, Home Mutual Insurance Company made settlement in the amount of \$77.40, which sum was deposited in the General Fund.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, THAT:

The Sum of \$77.40 is hereby transferred from the General Fund to Account No. 71-2-252, in the Police Department Budget for repair to Police Vehicle # 14.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-89-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-06

RESOLUTION NO. R-90-74

A RESOLUTION transferring certain sums
in the 1974 Budget of the Urban Affairs

WHEREAS, there are insufficient funds in Account No. 671-550 to continue the existing subscription to Housing and Development Reporter and to subscribe to additional reports on grant solicitation and sources of funding; and

WHEREAS, there are sufficient funds in Account No. 671-362 to cover the additional expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$80.00 is hereby transferred from Account No. 671-362, Stationery and Printing to Account No. 671-550 Subscriptions in the 1974 Budget of Urban Affairs.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Kraus, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-90-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-28

SPECIAL ORDINANCE NO. S-176-74

AN ORDINANCE approving a certain bid document
with GENERAL ELECTRIC for equipment for Board
of Safety

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 611 dated September 12, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety, and GENERAL ELECTRIC, for:

Fifteen (15) Model PE-56-KDW-DHX, 2 watt four frequency tone squelch personal portable radios with rechargeable battery, carrying case and strap and stub antenna.

\$1,010.70/each	\$15,160.50
-----------------	-------------

Thirty (30) Option #4421 Additional Rechargeable Battery.

\$51.46/each	1,543.80
--------------	----------

Three (3) Option #4445 10 Unit Multi Charger.

\$282.20/each	<u>846.60</u>
---------------	---------------

\$17,550.90

all as more specifically set forth in said bid document Ref. No. 611 and Purchase Order No. 3-28552G, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-176-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-10-31

SPECIAL ORDINANCE NO. S-177-74

AN ORDINANCE approving Change Order No. 4
in connection with Stormwater Demonstration
Grant Project

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 4 to Bowen Engineering Corporation in connection with the Stormwater Demonstration Grant Project in the amount of \$13,436.19, which is a Federally funded project, as set out in the specifications is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

John Nuckols
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Talarico
Nays: None
Absent: One
Stier

Date: 11-12-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-177-74 on the 12th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 13th day of November, 1974, at the hour of 1:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-15

SPECIAL ORDINANCE NO. S-178-74

AN ORDINANCE authorizing the City of Fort Wayne to Issue Its "Economic Development First Mortgage Revenue Bonds (Fort Wayne Wire Die Realty Company Project)" in the Principal Amount of Eight Hundred and Fifty Thousand Dollars (\$850,000) and Approving and Authorizing Other Actions In Respect Thereto

WHEREAS, the Fort Wayne Development Commission has rendered its Project Report for the Fort Wayne Wire Die Realty Company Project regarding the financing of proposed economic development facilities for Fort Wayne Wire Die Realty Company and the City of Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Development Commission, after public hearing conducted on September 18, 1974, adopted a Resolution, which resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Fort Wayne Wire Die Realty Company complies with the purposes and provisions of I.C. 1971, 18-6-4.5, and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by this Common Council, the Lease Agreement, Sublease Agreement, Mortgage and Indenture of Trust, Guaranty Agreement and Construction Letter.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Lease Agreement and Sublease Agreement approved by the Fort Wayne Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the use of the net proceeds thereof for the acquisition and construction of such facilities and the equipping thereof, the lease of said facilities to Fort Wayne Wire Die Realty Company and subleasing by Fort Wayne Wire Die Realty Company to Fort Wayne Wire Die, Inc., the payment of the revenue bonds by the rent payments of Fort Wayne Wire Die Realty Company under the Lease Agreement and rent payments of Fort Wayne Wire Die, Inc. under the Sublease Agreement, and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust and the guaranty of the payment thereof by Fort Wayne Wire Die, Inc. to the Trustee under the Guaranty Agreement will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The forms of the Lease Agreement, Sublease Agreement, Mortgage and Indenture of Trust, Construction Letter and Guaranty Agreement approved by the Fort Wayne Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in I.C. 1971, 18-6-4.5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds (Fort Wayne Wire Die Realty Company Project), in the total principal amount of Eight Hundred and Fifty Thousand Dollars (\$850,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities, including interest during construction, if provided for in the Mortgage and Indenture of Trust, Lease Agreement and Sublease Agreement, incorporated herein by reference, which bonds will be payable as to principal, premium, if any, and interest from the rental payments made by the Fort Wayne Wire Die Realty Company under the Lease Agreement and from the rental payments made by Fort Wayne Wire Die, Inc. under the Sublease Agreement, or as otherwise provided in the above described Mortgage and Indenture of Trust. The bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

SECTION 4. The City Controller is authorized and directed to sell such bonds to Lincoln National Bank and Trust Company of Fort Wayne at a rate or interest on the bonds not to exceed 7-1/2% per annum and at a price of 100% of the principal amount thereof.

SECTION 5. The Mayor, City Clerk, and City Controller are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor, City Clerk and City Controller on the bonds and coupons may be facsimile signatures. The City Controller is authorized to arrange for delivery of such bonds to the Trustee named in the Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First Mortgage Bonds (Fort Wayne Wire Die Realty Company Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-178-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of November, 1974, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of November, 1974, at the hour of 9:05 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. S-74-11-14

SPECIAL ORDINANCE NO. S-179-74

AN ORDINANCE Repealing Special Ordinance No. S-166-74

WHEREAS, The Common Council of the City of Fort Wayne, has adopted a Special Ordinance No. S-166-74 authorizing the issuance and sale of Economic Development Bonds (Fort Wayne Wire Die Realty Company Project); and

WHEREAS, it is the desire of the Development Commission to more fully set out the terms of the Economic Development Bonds (Fort Wayne Wire Die Realty Company Project).

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Special Ordinance No. S-166-74 be, and it hereby is repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-179-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-04

SPECIAL ORDINANCE NO. S-180-74

AN ORDINANCE approving a contract with HEFNER CHEVROLET and ERNST TRUCK EQUIPMENT for equipment for the Street Department.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts between HEFNER CHEVROLET and ERNST TRUCK EQUIPMENT and the City of Fort Wayne, by and through its Mayor and the Board of Public Works, as follows:

HEFNER CHEVROLET - P. O. 3-28318	
Two (2) 1-1/2 Ton Trucks	\$15,309.62
HEFNER CHEVROLET - P. O. 3-28319	
Four (4) 1 Ton Trucks	13,558.44
HEFNER CHEVROLET - P. O. 3-28320	
Two (2) 1975 Sedans	7,448.14
ERNST TRUCK EQUIPMENT - P. O. 3-28704	
Two (2) Dump Bodies	4,037.00
Four (4) Dump Bodies	4,626.00

for a total cost of \$44,979.20, all as more particularly set forth in said contracts which are on file in the Office of the Board of Public Works, and are by reference incorporated herein and made a part hereon, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-180-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-03

SPECIAL ORDINANCE NO. S-181-74

AN ORDINANCE approving Change Order No. 3
in connection with St. Joe Interceptor

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 to John Dehner, Inc. for drainage structure removal and miscellaneous work in connection with St. Joe Interceptor Sewer in the total amount of \$15,580.00, as set out in the specifications is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-181-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-74

RESOLUTION NO. R-91-74

A RESOLUTION repealing Resolution No. R-83-74

WHEREAS, The Common Council of the City of Fort Wayne, has adopted a Resolution No. R-83-74 authorizing the issuance and sale of Economic Development Bonds (Fort Wayne Wire Die Realty Company Project); and

WHEREAS, it is the desire of the Development Commission to more fully set out the terms of the Economic Development Bonds (Fort Wayne Wire Die Realty Company Project.)

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That Resolution No. R-83-74 be, and it hereby is repealed.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-91-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-16

RESOLUTION NO. R-92-74

A RESOLUTION authorizing the issuance and sale of \$850,000 Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company) of the City of Fort Wayne, Indiana, for the purpose of acquiring real estate, machinery, equipment and related property comprising economic development facilities for lease and sale to Fort Wayne Wire Die Realty Company, authorizing execution of the lease; Providing for the pledge of revenues for the payment of said Bonds; Authorizing the sale of said Bonds

WHEREAS, the City of Fort Wayne, Indiana (hereinafter called the "City") is a municipal corporation and political subdivision of the State of Indiana and by virtue of IC 1971, 18-6-4.5-1 through 18-6-4.5-28, inclusive as amended (hereinafter called the "Act") is authorized and empowered to acquire economic development facilities as those words are defined in the Act and to lease said economic development facilities as lessor to others to overcome insufficient employment opportunities and insufficient diversification of industry in and near the City to promote the general economic welfare of the area in and near the City and to issue its economic development facilities including engineering, legal fees, and all other expenses related thereto during construction, including the costs of issuing the bonds and to secure said bonds by a trust indenture creating a security interest in such economic development facilities; and

WHEREAS, Fort Wayne Wire Die Realty Company (the "Lessee") is a corporation duly organized under the laws of the State of Indiana, qualified to do business within the State of Indiana; and

WHEREAS, the Lessee has agreed to lease economic development facilities from the City and to sublease the facilities to Fort Wayne Wire Die, Inc. and thereby create new employment opportunities and provide diversification of industry in and near the area of the City, and to pay rentals sufficient to pay the principal of and interest and premium on the economic development revenue bonds hereinafter authorized; and

WHEREAS, the Common Council of the City (the "Common Council") has heretofore by Special Ordinance No. S-19-72 and pursuant to IC 1971, 18-6-4-1 through 18-6-4-28, inclusive, created the Fort Wayne Economic Development Commission which by virtue of the Act has become the Fort Wayne Development Commission (the "Commission") and the members of the Commission have been duly appointed and qualified pursuant to law and the Commission has organized and undertaken the duties imposed upon it by the Act and has found by written resolution that because of existing insufficient employment opportunities and insufficient diversification of industry, the economic welfare of the City would be benefited by the acquisition and leasing to Fort Wayne Wire Die Realty Company of economic development facilities; and

WHEREAS, the Commission has by such resolution approved a report estimating the public services which would be made necessary or desirable, the expenses thereof, the number of jobs, the estimated payroll on account of the acquisition and leasing of the economic development facilities and the cost of construction of the economic development facilities and has submitted such report to the Plan Commission of the City of Fort Wayne; and

WHEREAS, said Plan Commission, upon receiving the report of the Commission, has formulated written comments concerning such estimate and have transmitted those comments to the Commission within the time provided by law; and

WHEREAS, after giving notice in accordance with the Act, the Commission held a public hearing on the proposed financing and adopted a resolution finding the proposed financing complies with the Act, approving the financing and approving the form and terms of the economic development revenue bonds proposed to be issued by the City to pay a portion of the cost of such facilities, the lease and indenture, which resolution and other instruments and information pertaining to the proposed financing have been transmitted to the Common Council of the City by the Secretary of the commission; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

SECTION 1. Public Benefits. The Common Council of the City hereby finds and determines that the real estate, machinery, equipment and other facilities in connection therewith (the "Project") to be acquired in part with the proceeds of the Economic Development Revenue Bonds (Fort Wayne Wire Die Realty Company Project) herein authorized are "economic development facilities" as that phrase is used in the Act and that the utilization of the property in the creation and location of the Project is economically sound will increase employment opportunities and increase diversification of industry in and near the City, will improve and promote the economic stability, development and welfare of the area in and near the City and will encourage and promote the expansion of industry, trade and commerce in the area in and near the City and the location of other new industries in such area.

SECTION 2. Findings. The Common Council hereby finds that this resolution (the "Bond Resolution") is of public benefit to the economic welfare of the City, by tending to overcome the deficiencies previously found to exist, to wit: insufficient employment opportunities and insufficient diversification of industry, and recreation facilities, and that such benefit is greater than the cost of public facilities (as that phrase is defined in the Act), which will be required by the Project.

SECTION 3. Authorization of \$850,000 Economic Development Revenue Bonds. In order to pay a portion of the costs of acquiring the Project, there are hereby authorized to be issued, sold and delivered \$850,000 aggregate principal amount of Economic Development Revenue Bonds, Fort Wayne Wire Die Realty Company Project) of the City (the "Bonds"). It is hereby recognized that pursuant to the terms of the Lease the balance of the cost of the Project will be paid for by the Lessee.

SECTION 4. Definitions. In addition to the words and terms defined in this Bond Resolution, the words and terms used in this Bond Resolution shall have the meanings set forth in the Indenture, the Lease and unless the context or use indicates another or different meaning or intent and the form of the Bonds and the forms of the Lease and Indenture, which forms are before this meeting are hereby incorporated by reference in this Bond Resolution and the Clerk is hereby directed to insert them into the minutes of the Common Council to keep them on file.

SECTION 5. Terms for the Bonds. The total principal amount of the Bonds that may be issued is hereby expressly limited to \$850,000.

The Bonds shall be subject to redemption prior to maturity upon the terms and as provided in the Indenture.

The Bonds shall be executed on behalf of the City with the official manual or facsimile signature of the Mayor and attested with the official manual or facsimile signature of the Clerk and shall have impressed or imprinted thereon the corporate seal of the City. The coupons attached to the bonds, if any, shall be executed by the facsimile of the official signatures of the Mayor and Clerk and such facsimile on any Bonds or coupons shall have the same force and effect as if manually signed by such officer. The Bonds, together with interest thereon, shall be limited obligations of the City payable solely from the revenues and other amounts derived from the leasing or sale of the Project (except to the extent paid out of moneys attributable to the Bond proceeds or the income from the temporary investment thereof and under certain circumstances, proceeds from insurance and condemnation awards) and shall be a valid claim of the respective holders thereof only against the Bond Fund created under the Indenture and other moneys held by the Trustee and of the Project (but in addition shall be secured by a first mortgage lien on the Project), which revenues and other amounts shall be pledged and secured under the Indenture for the equal and ratable payment of the Bonds and shall be used for no other purpose than to pay the principal of, premium, if any, and the interest on the Bonds, except as may be otherwise expressly authorized in the Indenture. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City. In case any officer whose signature or facsimile of whose signature shall appear on the Bonds or coupons shall cease to be such officer before the delivery of such Bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery.

SECTION 6. Sale of the Bonds. The Mayor and the Clerk of the City are hereby authorized and directed to sell the Bonds. The Mayor is hereby authorized to execute and the Clerk is hereby authorized to attest on behalf of the City any documents, including the Bonds, which may be necessary or desirable to complete the sale of the Bond.

SECTION 7. Indenture. In order to secure the payment of the principal of and interest on the Bonds, the Mayor and Clerk shall execute, acknowledge and deliver in the name and on behalf of the City, a Mortgage and Indenture of Trust, herein identified as and called the Indenture, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy thereof in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Indenture so submitted to this Common Council and approved by this Bond Resolution and identified herein as the Indenture and to keep such Indenture on file. Said Indenture contains provisions authorized and permitted by the Act, and this Bond Resolution shall constitute a part hereof as therein provided and for all purposes of said Indenture, including the provisions thereof relating to amendments and the severability of provisions of the Indenture.

SECTION 9. Lease. In order to provide for the leasing of the Project and the payment of rent sufficient in amount to pay the principal of and premium if any, and interest on the Bonds, the Mayor and the Clerk shall execute, acknowledge and deliver in the name and on behalf of the City a Lease Agreement, herein identified as and called the Lease, in the form submitted to this Common Council, which is hereby approved in all respects; and the Clerk is hereby directed to insert a copy of the Lease in the form submitted to this meeting and approved hereby, in the minutes of this Common Council and to certify thereon that the same is the form of Lease submitted to this Common Council and approved by this Bond Resolution and identified herein as the Lease, and to keep such Lease on file. Said Lease contains provisions authorized and permitted by the Act.

SECTION 10. Acquisition of Title. The Mayor is authorized, on behalf of the City, to use a portion of the proceeds of the bonds to acquire a fee simple title to the Leased Land (as defined in the Lease) and to obtain a deed evidencing such title.

SECTION 11. General. The Mayor, Clerk, and City Controller be and they are each hereby authorized and directed, in the name of and on behalf of the City to execute any and all instruments, perform any and all acts, approve any of them, to be necessary or desirable in order to carry out the purposes of this Bond Resolution (including the preambles hereto), the acquisition of and the leasing of the Project to the Lessee, the issuance and sale of the Bonds, and the securing of the Bonds under the Indenture.

All documents before this meeting, including the Indenture and the Lease, are subject to completion in conformity with this Bond Resolution. The Mayor and the Clerk, and each of them, is hereby authorized to execute and deliver said Indenture and Lease, in substantially the form of said document before this Common Council, on behalf of the City, with such changes therein as such officials with the advise of counsel may determine, as conclusively evidenced by his execution thereof, to be advisable and in the best interests of the City and in conformance with this Bond Resolution.

SECTION 12. Prior Proceedings. All action taken by the Commission in connection with the Project is, to the extent not inconsistent with the Bond Resolution, ratified and confirmed and incorporated herein.

SECTION 13. Recognition of New Legislation. It is hereby recognized that pursuant to Senate Enrolled Act No. 325, the Act became effect upon its approval by the Governor on April 23, 1973, and that pursuant to Section 3 of said Act No. 325, the Commission created by Special Ordinance No. S-19-72 of the City continues with the powers and duties of a "development commission" under the Act.

SECTION 14. Effective Date. This Bond Resolution shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-92-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 9:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of November, 1974, at the hour of 9:05 o'clock A.M., E.S.T.

Edward G. Kamnikar
Acting Mayor

BILL NO. R-74-11-37

RESOLUTION NO. R-93-74

A RESOLUTION transferring certain funds in
the 1974 Budget of the Street Department

WHEREAS, there are insufficient funds in Account No. 880-321, Gas, Oil, Garage to pay the fuel use tax on diesel fuel; and

WHEREAS, there are sufficient funds in Account No. 880-442, Sand, to cover said expense.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$4,200.00 is hereby transferred from Account No. 880-422, Sand to Account No. 880-321, Gas, Oil, Garage in the 1974 Budget of the Street Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-93-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-38

RESOLUTION NO. R-94-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Right Of Way Permits Department

WHEREAS, due to the rising cost in gasoline, labor and materials there are insufficient funds in various accounts of the Right Of Way Permits to cover the necessary expenses for the balance of 1974; and

WHEREAS, there are various accounts in the Right of Way Permits Department to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred to the following accounts in the 1974 Budget of the Right Of Way Permits Department:

AMOUNT	FROM	TO
\$250.00	900-21-213, Travel Exp.	900-32-321, Gasoline
300.00	900-24-241, Printing	900-32-321, Gasoline
300.00	900-36-362, Stationery	900-32-324, Garage & Motor Supplies
100.00	900-26-261, Xerox Rental	900-32-324, Garage & Motor Supplies

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-94-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-36

RESOLUTION NO. R-95-74

A RESOLUTION transferring certain funds in
the 1974 Budget of the Park Department

WHEREAS, due to rising costs and unexpected expenditures and obligations, there are insufficient funds in various accounts of the Park Department to cover necessary expenses for the balance of 1974; and

WHEREAS, several accounts have sufficient funds to cover the necessary expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That there is hereby transferred the following sums from the accounts set out in the 1974 Budget of the Park Department, as follows:

AMOUNT	FROM	TO
\$13,000	850-510, Insurance	850-261, Misc. Contractual Services
3,650	850-711 (Enc.) Fixed Equip.	850-726, Other Equipment
3,850	850-711 (Enc.) Fixed Equip.	850-711, Fixed Equipment

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74]q

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-95-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-35

RESOLUTION NO. R-96-74

A RESOLUTION transferring certain funds in
the 1974 Budget of the Park Department

WHEREAS, there are insufficient funds in various accounts of the Park Department to meet necessary expenses for the balance of 1974; and

WHEREAS, there are sufficient funds in various accounts to cover said expenses:

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred to the following accounts in the 1974 Budget of the Park Department:

\$ 600.00 From #84--620, Retirement	To #850-242, Blueprinting
1,800.00 From #850-711, Fixed Equip.	To #850-251, Repairs/Bldgs.
1,000.00 From #850-722, Motor Equip.	To #850-312, Fuel Oil
3,000.00 From #850-722, Motor Equip.	To #850-350, Recreation Supplies
5,000.00 From #850-711, Fixed Equip.	To #850-370, Other Supplies
3,000.00 From #850-620, Retirement	To #850-430, Repair Parts
2,000.00 From #850-570, Taxes	To #850-440, Other Materials

Total \$16,400.00

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-96-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-34

RESOLUTION NO. R-97-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Fire Department

WHEREAS, the Cadet Training has been extended an additional two weeks resulting in a \$250.00 deficit in the Cadet Training Account; and

WHEREAS, there are sufficient funds in Account No. 730-1-111 Salaries in the 1974 Budget of the Fire Department.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$250.00 is hereby transferred from Account No. 730-1-111, Salaries into Account No. 730-1-112 Cadet Training in the 1974 Budget of the Fire Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-97-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-33

RESOLUTION NO. R-98-74

A RESOLUTION transferring certain funds in the
1974 Budget of Emergency Medical Services

WHEREAS, there are insufficient funds in Account No. 835-23, Instruction to pay for cost to learn monitoring for heart patients; and

WHEREAS, there are sufficient funds in Account No. 835-111, Services Personnel to cover said cost.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$500.00 is hereby transferred from Account No. 835-111, Services Personnel, to Account No. 825-23, Instruction in the 1974 Budget of the Emergency Medical Services.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico,
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-98-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-32

RESOLUTION NO. R-99-74

A RESOLUTION transferring certain funds in
the 1974 Budget of Board of Aviation

WHEREAS, there are insufficient funds for payment of miscellaneous contractual services for the balance of 1974; and

WHEREAS, there are sufficient funds in Account 840-222 to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$1,200.00 is hereby transferred from Account No. 840-222, Gas to Account No. 840-264 in the 1974 Budget of Board of Aviation.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-99-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-31

RESOLUTION NO. R-100-74

A RESOLUTION transferring certain funds in the
1974 Budget of the Board of Aviation

WHEREAS, there are insufficient funds in Account #840-222, Gas to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That there is hereby transferred the amount of \$5,000.00 from Account 840-222, Gas to Account 840-221, Electric Current in the 1974 Budget of the Board of Aviation.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-100-74 on the 27th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-30

RESOLUTION NO. R-101-74

A RESOLUTION transferring certain funds to pay repairs of Police Vehicle #11111

WHEREAS, Police Vehicle #11111 was damaged in an accident on October 12, 1974; and

WHEREAS, payment in the amount of \$482.26, was received from U.S. Fidelity and Guaranty Insurance Underwriters, Inc. and receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate for the repair of said automobile in the amount of \$482.26, which is a reasonable amount for said repair.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller of the City of Fort Wayne is hereby authorized to pay the sum of \$482.26 from the General Fund to Jim Kelley Buick for repair of Police Vehicle #11111.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-101-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-29

RESOLUTION NO. R-102-74

A RESOLUTION transferring certain funds in the 1974 Budget of Fire Pension Fund

WHEREAS, there are insufficient funds in Account 40-831-261, Medical and Legal to operate for the remainder of 1974; and

WHEREAS, there are sufficient funds in Account 40-831-500 to cover the additional expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$1,500.00 is hereby transferred from Account 40-831-500, Contingency to Account 40-831-261, Medical & Legal in the 1974 Budget of Fire Pension Fund.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-102-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-28

RESOLUTION NO. R-103-74

A RESOLUTION transferring certain funds
in the 1974 Department of Redevelopment

WHEREAS, there are insufficient funds in various accounts of the Department of Redevelopment to cover outstanding obligations for the balance of 1974; and

WHEREAS, there are sufficient funds in Account Nos. 23-870-2-221 and 23-870-2-223, to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the following sums are hereby transferred into the following accounts in the 1974 Budget of the Department of Redevelopment:

\$350.00 From Account 23-870-2-223 Heat
\$150.00 From Account 23-870-2-221 Electric Current

\$100.00 To Account 23-870-3-321, Gasoline
200.00 To Account 23-870-3-362, Stationary & Printing
100.00 To Account 23-870-3-363, Other Office Supplies
100.00 To Account 23-870-2-212, Postage

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-103-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-39

RESOLUTION NO. R-104-74

A RESOLUTION transferring certain funds
in the 1974 Budget of the Humane Commission

WHEREAS, there are insufficient funds in the 1974 Budget of the Humane Commission Account #810-2-251, to make repairs to the building; and

WHEREAS, there are insufficient funds in Account #810-2-222, Gas to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$425.00 is hereby transferred from Account No. 810-2-222, Gas to Account No. 810-2-251, Repair, Building & Structure in the 1974 Budget of the Humane Commission.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-104-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-27

RESOLUTION NO. R-105-74

A RESOLUTION authorizing payment for repairs
to Police Vehicle #97

WHEREAS, Police Vehicle #97 was damaged in an accident on May 17, 1974; and

WHEREAS, funds have been received for repair to this vehicle and receipted into the General Fund; and

WHEREAS, Jim Kelley Buick has submitted an estimate for repair in the amount of \$114.11, which is a reasonable amount for said repairs.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller is hereby authorized to pay the sum of \$114.11 to Jim Kelley Buick from the General Fund for repair to Police Vehicle #97.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-105-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-11-13

GENERAL ORDINANCE NO. G-31-74

AN ORDINANCE amending General Ordinance No.
G-97 by authorizing the vacation of a certain
street in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-31-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-11-10

GENERAL ORDINANCE NO. G-32-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns. Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Yale Avenue, located between Lots # 425 and # 427 Poinsette Park Addition, and Lots # 304 and # 305 Cambridge Hills Addition, extending east from the east right-of-way of Stanford Avenue to the west right-of-way of Cambridge Boulevard

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-32-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-11-11

GENERAL ORDINANCE NO. G-33-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964, Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

That portion of Chepequah Lane, lying between Lots #7 and #8 Scotswood Addition, extending northwest from Babcock Lane

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-33-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-11-12

GENERAL ORDINANCE NO. G-34-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street and alley in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street and alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street and alley in Fort Wayne, Allen County, Indiana, to-wit:

Lafayette Street, extending north from Elizabeth Street

The first and second east-west alleys lying north of Elizabeth Street, and extending west from Lafayette Street to Barr Street

The north-south alley lying east of Barr Street and west of Lafayette Street

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. G-34-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-08-31

ZONING MAP ORDINANCE NO. Z-19-74

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. BB7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lots 46, 47, 48, 49, 56, 57, 58, & 65 in Fisher Place Addition, located on the east side of Oakland, between Florence and Margaret Avenue

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-19-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-44

RESOLUTION NO. R-106-74

A RESOLUTION confirming an Approval Order of the Fort Wayne City Plan Commission concerning the West Main Street Renewal Project proposed by the Fort Wayne Redevelopment Commission and confirming the Declaratory Resolution West Main Street Renewal Project

WHEREAS, the Fort Wayne Redevelopment Commission adopted Declaratory Resolution - West Main Street Renewal Project on November 18, 1974, based on plans filed in the office of said Redevelopment Commission; a copy of which Declaratory Resolution is attached hereto, made a part hereof, and marked "Exhibit A",

WHEREAS, the Plan Commission of the City of Fort Wayne at a meeting on November 25, 1974, adopted and issued a written order approving said Declaratory Resolution and the Urban Renewal Plan referred to therein relative to the said West Main Street Renewal Project; a copy of which Approval Order is attached hereto, made a part hereof, and marked "Exhibit B",

WHEREAS, the foregoing actions set forth in Sections 1 and 2 herein of said Redevelopment Commission and said City Plan Commission are in accordance with the provisions of the Redevelopment of Cities and

Towns Act of 1953, (Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana, as Amended and Supplemented).

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the said actions concerning the West Main Street Renewal Project are hereby approved, ratified, and confirmed.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Six
Hinga, Kraus, Nuckols, V. Schmidt, Stier, Talarico
Nays: One
Burns
Abstained: Two
Moses, D. Schmidt

Date: 11-26-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-106-74 on the 26th day of November, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of November, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 2nd day of December, 1974, at the hour of 1:30 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-22

SPECIAL ORDINANCE NO. S-182-74

AN ORDINANCE approving a certain bid document for the installation of ball diamond safety fences at various park diamonds

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 615 dated October 14, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Park Commissioners, and R & C FENCE, INC., for

616 Feet Safety Fence	\$4,225.76
16 Feet Terminal Post	<u>432.00</u>
	\$4,657.76

all as more specifically set forth in said bid document Ref. No. 615 and Purchase Order No. 3-28336, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-182-74 on the 10th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

BILL NO. S-74-11-23

SPECIAL ORDINANCE NO. S-183-74

AN ORDINANCE approving a contract with IBM
for purchase of Traffic Control Computer

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated November 1, 1974, between the City of Fort Wayne, by and through its Mayor and Traffic Engineering and I.B.M. CORPORATION, for:

1	1828 Cabinet Enclosure	\$ 408.00
1	MES638325 1-0 Contacts	11,560.00
1	FIC	1,058.00
1	MES638324 Relays	12,250.00
	Transportation (Estimated)	125.00
		<u>\$25,410.00</u>

for a total cost of \$25,410.00, all as more particularly set forth on Purchase Order No. 3-28960ii, which is on file in the Office of the Department of Purchasing and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance, No. S-183-74 on the 10th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-24

SPECIAL ORDINANCE NO. S-184-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. in connection with Sewer Resolution No. 284-1974

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated October 9, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC. for construction as follows:

120" + 120" FLAP GATE

For the installation of a flap gate and special manhole with all related concrete work at the existing storm outfall at the Rudisill Boulevard - St. Mary's River Intersection. Said improvement with all appurtenances to be constructed in accordance with the plans, profiles & specifications now on file in the office of the Department of Public Works of said City. All work done in the making of the aforementioned public improvement shall be in accordance with the terms and conditions of the resolution aforementioned and the plans, profiles and specifications now on file in the office of the Board of Public Works of said City. It is hereby found by said Board of Public Works that all benefits accruing hereunder will be to the general public of the City of Fort Wayne, and that no special benefits will accrue to any property owner adjoining said improvement. The cost of said improvement shall be paid by the City of Fort Wayne, Indiana out of monies currently appropriated from City Utilities Fund

for a total cost to Utility of \$50,365.00, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-184-74 on the 10th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-25

SPECIAL ORDINANCE NO. S-185-74

AN ORDINANCE approving a contract for the purchase of fuel oil required by City Utilities and Civil City

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Certain contracts dated October 31, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and the following companies:

ALLEN COUNTY COOPERATIVE ASS'N INC. - City Utilities P.O. 568	
Approx. 1,000 # 1 Fuel Oil	.3290 per gal.
GLADIEUX REFINERY, INC. - City Utilities P.O. 5682	
Approx. 230,000 Annual Requirements of # 2	
Fuel Oil for 1974-75 Season	.3030 per gal. tank
GLADIEUX REFINERY, INC. - City Utilities P.O. 5683	
Approx. 750,000 # 2 Gas Turbine Fuel Oil	.2730 per gal.
GLADIEUX REFINERY, INC. - City Utilities P.O. 5684	
Approx. 90,000 2D Diesel Fuel Oil	.3030 per gal. tank
	.2730 per gal trans.
INDUSTRIAL FUEL OILS, INC. - City Utilities P.O. 5686	
Approx. 125,000 200 Viscosity # 5 Fuel Oil	.3001 per gal.
GLADIEUX REFINERY, INC. - P.O. 3-28901	
Approx. 230,000 Annual Requirement of # 2	.3030 per gal. tank
Fuel Oil for 1974-75 Season	.2730 per gal. trans.
GLADIEUX REFINERY, INC. - P.O. 3-28902	
Approx. 90,000 #2D Diesel Fuel	.3030 per gal. tank
	.2730 per gal. tank
ALLEN COUNTY COOPERATIVE ASS'N., INC. - P.O. 3-28903	
Approx. 13,000 Special Diesel Mix	.3260 per gal.

as more specifically set forth on said Blanket Purchase Orders, which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-185-74 on the 10th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-26

SPECIAL ORDINANCE NO. S-186-74

AN ORDINANCE approving a contract with
INTERNATIONAL SALT COMPANY for the
purchase of salt

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract dated November 12, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and INTERNATIONAL SALT COMPANY for:

Approx. 6,000 Tons Type 1 Bulk Rock Salt
(Coarse-Crushed Sodium Chloride) \$15.22 per ton

as more specifically set forth on Blanket Purchase Order No. 3-28904, which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-10-74 Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-186-74 on the 10th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-59

SPECIAL ORDINANCE NO. S-187-74

AN ORDINANCE repealing Special Ordinance
No. S-167-74

WHEREAS, The Common Council of the City of Fort Wayne, has adopted a Special Ordinance No. S-167-74 authorizing the issuance and sale of Economic Development Bonds (Tri-State Pipeline, Inc. Project) and

WHEREAS, there has been certain changes in the terms of said Economic Development Bonds.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Said Special Ordinance No. S-167-74 be, and it hereby is repealed.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
Nays: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-187-74 on the 10th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.,

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-61

SPECIALORDINANCE NO. S-188-74

AN ORDINANCE authorizing the City of Fort Wayne to Issue Its "Economic Development First Mortgage Revenue Bonds (Tri-State Pipeline, Inc. Project)" in the Principal Amount of One Million Five Hundred Thousand Dollars (\$1,500,000) and Approving and Authorizing Other Actions In Respect Thereto

WHEREAS, the Fort Wayne Development Commission has rendered its Project Report for the Tri-State Pipeline, Inc. Project regarding the financing of proposed economic development facilities for the Tri-State Pipeline, Inc. and the City of Fort Wayne Plan Commission has commented favorably thereon; and

WHEREAS, the Fort Wayne Development Commission, after public hearing conducted on October 7, 1974, adopted a Resolution, which resolution has been transmitted hereto, finding that the financing of certain economic development facilities of Tri-State Pipeline, Inc. complies with the purposes and provisions of I.C. 1971, 18-6-4.5, and that such financing will be of benefit to the health and welfare of the City of Fort Wayne and its citizens; and

WHEREAS, the Fort Wayne Development Commission has heretofore approved and recommended the adoption of this form of Ordinance by this Common Council and has approved the forms of and has transmitted for approval by this Common Council, the Loan agreement with Note attached, Mortgage and Indenture of Trust and Proposed Form of Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. It is hereby found that the financing of the economic development facilities referred to in the Loan Agreement and Indenture of Trust approved by the Fort Wayne Development Commission and presented to this Common Council, the issuance and sale of revenue bonds, the use of the net proceeds thereof for the acquisition and construction of such facilities by Tri-State Pipeline, Inc., the payment of the revenue bonds from pay by Tri-State Pipeline, Inc. under the Note or Notes made to the Trustee pursuant to the Loan Agreement and the securing of said bonds by the mortgaging of such facilities to the Trustee under the Mortgage and Indenture of Trust will be of benefit to the health and welfare of the City of Fort Wayne and its citizens.

SECTION 2. The forms of the Loan Agreement with Note attached and Mortgage and Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and all such documents (hereinafter collectively referred to as the "Financing Agreement" referred to in I.C. 1971, 18-6-4-5), shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

SECTION 3. The City of Fort Wayne shall issue its Economic Development First Mortgage Revenue Bonds (Tri-State Pipeline, Inc. Project), in the total principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of procuring funds to pay the costs of acquisition, construction and equipping of the economic development facilities, including interest during construction, if provided for in the Mortgage and Indenture of Trust, and Loan Agreement and incorporated herein by reference which bonds will be payable as to principal, premium, if any, and interest from the payments by Tri-State Pipeline, Inc. under the Note or Notes made to the Trustee pursuant to the Loan Agreement and from other sources as provided in the Loan Agreement, or as otherwise provided in the above described Mortgage and Indenture of Trust. The Bonds shall never constitute a general

obligation of, an indebtedness of, or a charge against the general credit of the City of Fort Wayne.

SECTION 4. The City Controller is authorized and directed to sell such bonds to People Trust Bank at a rate of interest on the bonds not to exceed 6-3/4% per annum and at a price of 100% of the principal amount thereof.

SECTION 5. The Mayor, City Clerk, and City Controller are authorized and directed to execute the documents constituting the Financing Agreement approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to consummate the transaction, including the bonds authorized herein. The signatures of the Mayor, City Clerk and City Controller on the bonds and coupons may be facsimile signatures. The City Controller is authorized to arrange for delivery of such bonds to the Trustee named in the Indenture of Trust, payment for which will be made to the Trustee named in the Mortgage and Indenture of Trust and delivered by the Trustee to the purchasers thereof.

SECTION 6. The provisions of this Ordinance and the Mortgage and Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holder of the Economic Development First Mortgage Bonds (Tri-State Pipeline, Inc. Project), and after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remains unpaid.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-188-74 on the 10th day of December, 1974.

ATTEST:	(SEAL)
Charles W. Westerman	Samuel J. Talarico
City Clerk	Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-11-58 (As Amended)

RESOLUTION NO. R-107-74

A RESOLUTION authorizing application for funds under Title I of the Housing and Community Development Act of 1974.

WHEREAS, the Housing and Community Development Act of 1974 has made available certain funds to the City of Fort Wayne, Indiana, for community development purposes; and,

WHEREAS, these funds must be used primarily for the prevention or elimination of blight, or for the benefit of low or moderate income people; and,

WHEREAS, there exists within the City of Fort Wayne areas of blight or deterioration; and,

WHEREAS, the City of Fort Wayne has developed a community development program aimed primarily at the prevention of the further spread of blight and deterioration; and,

WHEREAS, this community development program was given a public hearing on December 10, 1974, in the Chambers of this Council.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

1. That the Common Council hereby reaffirms its intent to eliminate blight within the City of Fort Wayne.

2. That the Mayor of the City of Fort Wayne is hereby designated as the authorized representative of the City to act in connection with the application and to provide the Department of Housing and Urban Development such information as may be required.

3. That the attached community development application including all understandings and assurances contained therein, be approved and forwarded to the Department of Housing and Urban Development for funding.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Eight
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: One
Moses

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-107-74 on the 10th day of December, 1974.

ATTEST
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Peersiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-12-08

RESOLUTION NO. R-108-74

A RESOLUTION transferring funds in the
1974 Budget of the Park Department

WHEREAS, there are insufficient funds in Account No. 850-370, Other Supplies, to cover the necessary obligations and expenditures for the balance of 1974; and

WHEREAS, there are insufficient funds in Account No. 850-261, Miscellaneous Contractual Services, to cover the necessary expenses for the balance of 1974; and

WHEREAS, there are sufficient funds in Account Nos. 850-721, Furniture & Fixtures and 850-333 Institutional & Medical to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That there is hereby transferred from the 1974 Budget of the Park Department, the following sums:

\$1,000 From 850-333, Institutional & Medical to 850-370, Other Supplies

\$1,000 From 850-721, Furniture & Fixtures to 850-261 Misc. Contractual Supplies

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-108-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. Z-74-09-06

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. C14

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C14, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot #18 Gardendale Addition, commonly known as 7007 Decatur Road.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Lost by the following vote:

AYES: None

NAYS: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 12-10-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-09-07

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. B7

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. B7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

N. 50 feet of Lot #14 Romy's Add. - Hannas
Park - Key No. 91-3793-0014

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Lost by the following vote:

AYES: None

NAYS: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 12-10-74

Charles W. Westerman
City Clerk

BILL NO. Z-74-10-29

ZONING MAP ORDINANCE NO. Z-Lost

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. BB1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB1, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The south 55 feet of Lot #74 Swinney's
Addition commonly known as 1809 and
1811 Thompson Avenue

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Lost by the following vote:

AYES: None

NAYS: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

Date: 12-10-74

Charles W. Westerman
City Clerk

BILL NO. G-74-11-42

GENERAL ORDINANCE NO. G-35-74

AN ORDINANCE amending General Ordinance No.
G-97 by authorizing the vacation of a certain
alley in the City of Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on September 23, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, it-wit:

The public rights-of-way described as
Meridian Street and South Park Road on
the Plat of North Park Addition, Section "A"

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-35-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-11-43

GENERAL ORDINANCE NO. G-36-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana

BE IT ORDIANED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The public alley lying next East of and Parallel to Calhoun Street from the intersection of said alley at its Northern Terminus at the South right of way line of Douglas Street to its Southern terminus at the North right of way line of Brackenridge Street being approximately 10 feet in width and approximately 350 feet in length all in the City of Fort Wayne, Allen County, Indiana

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-36-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-45

SPECIAL ORDINANCE NO. S-189-74

AN ORDINANCE approving contracts with ROBERT J. HOUSER for curb and sidewalk construction in connection with Resolution No. 5648-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ROBERT J. HOUSER for curb and sidewalk construction as follows:

In 1st District on both sides of Creighton Avenue from the east property line of Harrison Street to the west property line of Lafayette Street

Total Cost of Approximately \$23,741.60

In 1st District on both sides of Calhoun Street from the south property line of Brackenridge Street to the north property line of Suttentfield Street

Total cost of approximately \$49,149.85

the City to pay approximately \$58,627.45 and the balance to be paid by the property owners under Barrett Law, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-189-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-46

SPECIAL ORDINANCE NO. S-190-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for construction of sidewalks in connection with Resolution No. 5648-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated November 20, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CARRINGTON & ASSOCIATES, INC. for construction of sidewalks as follows:

On Calhoun Street from the south property line of Suttentfield Street to the north property line of Darrow Avenue

for a total cost of \$21,722.35, of which the City will pay approximately \$17,092.35 and the balance to be paid by property owners, all are more particularly set forth on said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein, made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-190-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-47

SPECIAL ORDINANCE NO. S-191-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for sidewalk construction in connection with Resolution No. 5648-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated November 20, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CARRINGTON & ASSOCIATES, INC. for construction of sidewalks as follows:

Both sides of Esmond Street from the E/P/L of Calhoun Street to the W/P/L of Lafayette Street; Both sides of Killea Street from the E/P/L of Harrison Street to the W/P/L of Calhoun Street; Both sides of Clinton Court from the S/P/L of Piqua Avenue to the N/P/L of Darrow Avenue; Both Sides of Wildwood Avenue from the E/P/L of Harrison Street to the W/P/L of Lafayette Street

for a total cost of \$34,900.00 of which the City will pay approximately \$28,477.90 and the balance to be paid by property owners, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-191-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-48

SPECIAL ORDINANCE NO. S-192-74

AN ORDINANCE approving a contract with CARRINGTON & ASSOCIATES for sidewalk repairs in connection with Resolution No. 5649-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated November 20, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and CARRINGTON & ASSOCIATES, INC. for curbs and sidewalks as follows.

In 6th District - Gaywood Drive from the N/P/L of Oxford Street to the S/P/L of Drexel Avenue, both sides, Both sides of Drexel Avenue from the E/P/L of Hanna Street to the W/P/L of Oliver Street, Both sides of Smith Street from the N/P/L of Oxford Street to the S/P/L of Colerick Street

for a total cost of \$22,448.85, of which the City will pay approximately \$20,152.33 and the balance to be paid by property owners all as more particularly set forth in said contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-192-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-49

SPECIAL ORDINANCE NO. S-193-74

AN ORDINANCE approving a contract with RIETH-RILEY CONSTRUCTION CO., INC. for street improvement in connection with Resolution No. 5672-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated October 1, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and RIETH-RILEY CONSTRUCTION CO., INC. for street improvements as follows:

Forest Avenue from the east property line of
Beacon Street to the west property line of
Hobson Drive

for a total cost of 33,237.88, of which the City will pay approximately \$26,217.88 and the balance to be paid by the property owners, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-193-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-50

SPECIAL ORDINANCE NO. S-194-74

AN ORDINANCE approving a contract with A. GROSJEAN & SON for Sidewalk Repair in connection with Resolution No. 5665-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That contract dated October 10, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and A. GROSJEAN & SON, for construction of sidewalks, as follows:

On the north side of Vance Avenue from the east property line of Sherborne Boulevard to the west property line of Coliseum Boulevard East, except where sidewalk is now in place

for a cost of approximately \$8,090.00, of which the City will pay approximately \$3,410.00 and the balance to be paid by the property owners through Barrett Law, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-194-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-51

SPECIAL ORDINANCE NO. S-195-74

AN ORDINANCE approving a contract with ROBERT J. HOUSER for construction of sidewalks in connection with Resolution No. 5668-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contracts between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ROBERT J. HOUSER for construction of sidewalks as follows:

On both sides of Paulding Road from the west
Property line of Hanna Street to the west
property line of Anthony Boulevard, except
where sidewalks are now in place

for a cost of approximately \$75,317.20, of which the City will pay approximately \$50,427.55 and the balance to be paid by property owners through Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, D. Schmidt, V. Schmidt, Stier, Talarico, Nuckols
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-195-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-52

SPECIAL ORDINANCE NO. S-196-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Street improvement in connection with Resolution No. 5666-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated September 26, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC. for street improvement as follows:

Paul Street from the south property line of Taylor Street to the north property line of Brown Street

for a cost of approximately \$25,219.25, of which the City will pay approximately \$14,494.25 and the balance to be paid by the property owners through Barrett Law, all as more particularly set forth in said Contract which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-196-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-53

SPECIAL ORDINANCE NO. S-197-74

AN ORDINANCE approving a contract with ROBERT J. HOUSER for sidewalk construction in connection with Resolution No. 5664-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Contract between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and ROBERT J. HOUSER for construction of sidewalks, as follows:

On the North side of Vance Avenue from the east property line of Coliseum Boulevard, East to the west property line of Inwood Drive

for a cost of \$2,327.05, of which the City will pay approximately \$1,521.55 and the balance to be paid by the property owners through Barrett Law, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-197-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-54

SPECIAL ORDINANCE NO. S-198-74

AN ORDINANCE approving a contract with A. GROSJEAN & SON for curb and sidewalk construction in connection with Resolution No. 5674-74

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated October 3, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and A. GROSJEAN & SON, for construction of curbs and sidewalks, as follows:

On Harmer Street from the south curb line of Jefferson Boulevard to the north curb line of Madison Street. Also, that portion of sidewalk on the south side of Jefferson Boulevard from the west property line of Harmer Street to a point 89 feet west thereof

for a cost of approximately \$10,933.80, of which the City will pay approximately \$9,546.30 and the balance to be paid by the property owners through Barrett Law all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Winfield C. Moses, Jr.
Councilman

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-198-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-55

SPECIAL ORDINANCE NO. S-199-74

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for water system improvement under Water Contract 74-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated September 28, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and JOHN DEHNER, INC., for construction of Waynedale Phase I Water System Improvement as follows:

To lower 16 inch water main on Old Trail Road from sta 120+50 to sta. 133+00 as referred to City of Fort Wayne Street Engineering plans for Waynedale Package Improvement, Phase I

for a total cost to Water Utility of \$35,537.50, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-199-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-56

SPECIAL ORDINANCE NO. S-200-74

AN ORDINANCE approving an Agreement with
MEISTER-GRABER for Sewer Extension

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated November 12, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and MEISTER-GRABER for the construction of a sanitary sewer as follows:

Main Sewer

Beginning at a proposed manhole set on the existing 21-inch St. Joe Interceptor at its intersection with Dupont Road; thence, East along the North right of way of Dupont Road to Oak Tree Road

Lateral No. 1

Beginning at a proposed manhole at Dupont Road and Oak Tree Road; thence, Northeasterly along Oak Tree Road to proposed Manhole No. 9

Lateral No. 2

Beginning at a proposed manhole at the intersection of Oak Tree Road and Oak Branch Court; thence, East on Oak Branch Court to proposed Manhole No. 10 and West to proposed Manhole No. 12

Lateral No. 3

Beginning at a proposed Manhole No. 6 on Oak Tree Road; thence, South along the common property line of Lots No. 20 and 21 to the South line of Woodmont, Section I; thence, East terminating at proposed Manhole No. 17.

the total cost to be paid by the developer, all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works, and is by reference incorporated herein, made a part hereof and is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmdit, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-200-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-11-57

SPECIAL ORDINANCE NO. S-201-74

AN ORDINANCE approving Change Order No. 3
in connection with St. Joe Interceptor
Sewer Resolution 272

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Change Order No. 3 to Bercot, Inc. in connection with St. Joe Interceptor Sewer Resolution 272 in the amount of \$13,500.00, which is reimbursable by EPA, as set out in the specifications, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Paul M. Burns
Councilman

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-201-74, on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. X-74-11-60

ANNEXATION ORDINANCE NO. X-05-74

AN ORDINANCE amending Annexation Ordinance No.
X-03-74 by adding a Section thereto

WHEREAS, it is the desire of the Common Council to preserve those rights of the City of Fort Wayne to preserve whatever rights arise under General Ordinance No. 2447 so that the position of the City under said Ordinance will not be jeopardized in the event Ordinance No. X-03-74 is declared invalid.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Annexation Ordinance No. X-03-74 is amended by adding thereto Section 4 as follows:

SECTION 4. Provided, further that, unless the aforesaid General Ordinance No. 2447 is ruled to be of no force or effect by a court of competent jurisdiction, said ordinance shall remain in effect until the completion of any and all litigation arising under this ordinance.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-10-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-05-74 on the 10th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 11th day of December, 1974, at the hour of 3:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-12-04

SPECIAL ORDINANCE NO. S-202-74

AN ORDINANCE approving a certain bid document
with General Electric for Tone Alert Receivers

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 617 dated November 21, 1974, between the City of Fort Wayne, by and through its Mayor and the Office of Emergency Services, and GENERAL ELECTRIC for:

14 All Solid State Tone Alert Receivers \$4,648.00

as more specifically set forth in said bid document Ref. No. 617 and Purchase Order No. 3-29122 which are on file in the Office of the Department of Purchasing and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico, Moses
NAYS: None

Date: 12-17-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-202-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-12-05

SPECIAL ORDINANCE NO. S-203-74

AN ORDINANCE approving a contract with TRANSMISSION
& FLUID EQUIPMENT

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The contract dated November 22, 1974, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works and TRANSMISSION & FLUID EQUIPMENT, for:

218	#4550 Plain Chain Links	\$1,329.89
465	#4550-F50 Attachment Links	3,417.75
837	Chain Pins for Items 1 & 2	1,925.10
578	#W1401 Straight Flights	1,355.99
		<u>\$8,028.73</u>

all as more particularly set forth on City Utilities Purchase Order No. 5797, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-17-74

Charles W. Westerman

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance No. S-203-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. S-74-12-06

SPECIAL ORDINANCE NO. S-204-74

AN ORDINANCE approving a certain bid document
with MOTOROLA, INC. for Radio tubes and
Radio Vibrators for the Board of Public Safety

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain bid document Ref. No. 599 dated August 8, 1974 between the City of Fort Wayne, by and through its Mayor and the Board of Public Safety and MOTOROLA, INC., for:

Premium Quality Radio Tubes
and vibrators

as more specifically set forth in said bid document Ref. No. 599, and Purchase Order No. 3-2788G which are on file in the Office of the Department of Purchasing, and are by reference incorporated herein and made a part hereof, are hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by Stier, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-17-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Special Ordinance, No. S-204-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-12-07

RESOLUTION NO. R-109-74

A RESOLUTION transferring certain funds in the 1974 Budget
of the Human Resources Department

WHEREAS, there are insufficient funds in Account No. 10-670-212, Travel, for remainder of 1974; and

WHEREAS, there are insufficient funds in Account No. 10-670-241, Printing to cover the expenditures of printing a social service booklet and in connection with the Bicentennial celebration; and

WHEREAS, there are sufficient funds in Account No. 10-670-111, Services Personal, to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$10,000.00 is hereby transferred from Account No. 10-670-111, Services Personal in the 1974 Budget of the Human Resources Department to the following:

\$1,000.00 to Account No. 10-670-241, Travel
 \$9,000.00 to Account No. 10-670-241, Printing

William T. Hinga

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
 NAYS: None

Date: 12-17-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-109-74 on the 17th day of December, 1974.

ATTEST:
 Charles W. Westerman
 City Clerk

(SEAL)
 Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-74-12-17

RESOLUTION NO. R-110-74

A RESOLUTION authorizing the transfer of funds
 in the 1974 Budget of the Street Engineering Dept.

WHEREAS, certain accounts in the 1974 Budget of the Street Engineering Department have insufficient funds to cover the expenses for the balance of 1974; and

WHEREAS, Account 690-2-261, Services Contractual has sufficient funds to cover said expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE:

That there is hereby transferred the following sums from Account No. 690-2-261, Services Contractual in the 1974 Budget of the Street Engineering Department, as follows:

\$1,000.00 to Account No. 690-3-363, Supplies
 250.00 to Account No. 690-2-212, Postage

William T. Hinga
 Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
 Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
 NAYS: None

Date: 12-17-74

Charles W. Westerman
 City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-110-74 on the 17th day of December, 1974.

ATTEST:
 Charles W. Westerman
 City Clerk

(SEAL)
 Samuel J. Talarico
 Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
 City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
 Mayor

BILL NO. R-74-12-18

RESOLUTION NO. R-111-74

A RESOLUTION transferring certain funds in
the 1974 Police Department Budget

WHEREAS, Account No. 71-1-131, Educational Incentive in the 1974 Police Department Budget has insufficient funds to cover expenses due to an increase of interest in the program; and

WHEREAS, there are sufficient funds in Account No. 71-1-11, Salaries to cover the additional expenses.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the sum of \$3,000.00 is hereby transferred from Account No. 71-1-11, Salaries to Account No. 71-1-131, Educational Incentive in the 1974 Budget of the Police Department.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: 12-17-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-111-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. R-74-12-19

RESOLUTION NO. R-112-74

A RESOLUTION authorizing repairs to Police Vehicle #122

WHEREAS, Police Vehicle #122 was damaged in an accident at Fairfield and Butler on October 30, 1974; and

WHEREAS, Insurance money was collected for said damages and deposited in the General Fund; and

WHEREAS, Jim Kelly Buick has submitted an estimate in the amount of \$221.50 for the repair of said vehicle.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the Controller is hereby authorized to pay from the General Fund the sum of \$221.50 to Jim Kelly Buick for repair to Police Vehicle #122.

William T. Hinga
Councilman

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine

Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico

NAYS: None

Date: 12-17-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Resolution No. R-112-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 22nd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-12-10

GENERAL ORDINANCE NO. G-37-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley in the City of Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on November 25, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

That portion of the public alley lying next South of and parallel to Brackenridge Street extending West from the West right of way line of Calhoun Street to the East right of way line of the alley lying next East of Harrison Street, all in the City of Fort Wayne, Allen County, Indiana, and being bounded as follows:

On the South by Lot 6 in Baker's Addition to the City of Fort Wayne and on the North by Lot 61 in Brackenridge's Addition to the City of Fort Wayne

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-17-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-37-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974, at the hour of 10:00 A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Ivan A. Lebamoff
Mayor

BILL NO. G-74-12-11

GENERAL ORDINANCE NO. G-38-74

AN ORDINANCE amending General Ordinance No.
G-97 by authorizing the vacation of a certain
alley in the City of Fort Wayne, Indiana

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain alley having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on November 25, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public alley in Fort Wayne, Allen County, Indiana, to-wit:

The north-south alley, extending south from the south right-of-way of Oakdale Drive, to the north right-of-way of the East west alley, and lying between Lots #11 and #12 Wilson's Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the third time in full and on motion by Nuckols, seconded by Kraus, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Nine
Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico
NAYS: None

Date: 12-17-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, General Ordinance No. G-38-74 on the 17th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 18th day of December, 1974 at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 23rd day of December, 1974, at the hour of 11:00 o'clock P.M., E.S.T.

Ivan A. Lebamff
Mayor

BILL NO. G-74-12-33

ORDINANCE NO. G-39-74

AN ORDINANCE concerning the construction of additional improvements and extensions to the sewage works owned and operated by the City of Fort Wayne, Indiana, the issuance of additional revenue bonds to provide funds for application on the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the holders of said bonds, and other matters connected therewith.

WHEREAS, the City of Fort Wayne, Indiana, has heretofore established and now owns and operates sewage works pursuant to The Indiana Code of 1971, Title 19, Article 2, Chapter 5, and the laws amendatory thereof and supplemental thereto (hereinafter referred to as "governing statutes"); and

WHEREAS, the Board of Public Works of the City of Fort Wayne has represented to the Common Council and the Council now finds that said sewage works is in need of certain additional improvements and extensions; that plans, specifications and estimates have been prepared and filed by the engineers employed by the City for the necessary improvements and extensions to the sewage works owned and operated by said City, which plans and specifications have been approved by said Board and by all governmental authorities having jurisdiction, particularly the Stream Pollution Control Board of the State of Indiana, and the State Board of Health; and

WHEREAS, the Council further finds that the Board of Public Works has advertised for and received bids for the construction of said additional improvements and extensions to the sewage works of said City, and on the basis of said bids the cost of said project, as defined in the governing statutes, will be in the amount of Thirty-four Million Eighty-three Thousand Two Hundred Thirty-six Dollars (\$34,083,236); that a federal grant in the amount of Twenty-five Million One Hundred Three Thousand Six Hundred Six Dollars (\$25,103,606) and a state grant in the amount of One Million Nine Hundred Seventy-nine Thousand Six Hundred Thirty Dollars (\$1,979,630) have been made available for application on the cost of the project, leaving a balance of Seven Million Dollars (\$7,000,000) to be financed by the issuance of revenue bonds under the provision of IC 1971, 19-2-5; and

WHEREAS, the Council finds that there are now outstanding three issues of bonds, outstanding in the aggregate principal amount of Six Million Ten Thousand Dollars (\$6,010,000), payable out of the revenues of the City's sewage works, one issue designated "Sewage Works Improvement Revenue Bonds," dated November 1, 1959, outstanding in the principal amount of One Million Seven Hundred Ten Thousand Dollars (\$1,710,000), maturing on August 1 in the years 1975 to 1990, inclusive, bearing interest at the rates of three and seven-eighths per cent (3-7/8%) and three and one-fourth per cent (3-1/4%) per annum, depending on the maturities; and another issue designated "Sewage Works Improvement Revenue Bonds of 1961," dated August 1, 1961, outstanding in the principal amount of One Million Five Hundred Twenty Thousand Dollars (\$1,520,000), maturing on August 1 in the years 1975 to 1993, inclusive, bearing interest at the rates of three and one-half per cent (3-1/2%) and three and three-fourths per cent (3-3/4%) per annum, depending on the maturities; and the remaining issue designated "Sewage Works Improvement Revenue Bonds of 1970," dated April 1, 1970, outstanding in the principal amount of Two Million Seven Hundred Eighty Thousand Dollars (\$2,780,000), maturing on August 1 in the years 1975 to 1995, inclusive, bearing interest at the rates of seven per cent (7%), six and seventy hundredths per cent (6.70%), six and fifty hundredths per cent (6.50%), and six and ninety hundredths per cent (6.90%) per annum, depending on the maturities; which three issues are of equal priority and constitute a first charge upon the net revenues of the sewage works; and

WHEREAS, the Council finds that Ordinance No. S-420, adopted by the Common Council on October 27, 1959, authorizing the issuance of said Sewage Works Improvement Revenue Bonds, Special Ordinance No. S-604, adopted on July 11, 1961, authorizing the issuance of said Sewage Works Improvement Revenue Bonds of 1961, and Ordinance No. S-416-70, adopted on February 24, 1970, authorizing the issuance of said Sewage Works Improvement Revenue Bonds of 1970, reserved to the City the right to authorize and issue additional bonds payable out of the revenues of the City's sewage works, ranking on a parity with said Sewage Works Improvement Revenue Bonds, Sewage Works Improvement Revenue Bonds of 1961, and Sewage Works Improvement Bonds of 1970, for the purpose of financing the additional improvements and extensions hereinbefore referred to; provided, however, that certain financial requirements are met, and the Council finds that the sewage works of the City can meet the financial requirements for the issuance of additional revenue bonds ranking on a parity with the outstanding Sewage Works Improvement Revenue Bonds of 1961, and Sewage Works Improvement Revenue Bonds of 1970; and

WHEREAS, the Common Council finds that the balance of the cost of said additional improvements and extensions, over and above the amount of the grants hereinbefore referred to, should be provided by the issuance of additional revenue bonds payable solely out of the revenues of the City's sewage works, ranking on a parity with the now outstanding Sewage Works Improvement Revenue Bonds, dated November 1, 1959, Sewage Works Improvement Revenue Bonds of 1961, dated August 1, 1961, and Sewage Works Improvement Revenue Bonds of 1970, dated April 1, 1970, hereinabove referred to; that all conditions precedent to the adoption of an ordinance authorizing the issuance of said additional revenue bonds have been complied with in accordance with the provisions of the governing statutes; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the actions of the Board of Public Works in and about the making of improvements and extensions to the sewage works of the City of Fort Wayne be and the same are hereby approved, ratified and confirmed, and that said Board be and it is hereby authorized and directed to proceed with the acquisition and construction of improvements and extensions to said sewage works including lands, land leases, easements and rights-of-way, and additions to the sewage treatment facilities, including modification of existing grit removal tanks, new primary effluent box, new aeration tanks, new secondary settling tanks with new secondary effluent chamber, new raw sewage pumps, new engine generators, new blowers, new blower building, additional chlorination equipment, new sewage gas compressors, additional gas storage tank, jacket water cooling system, a new plant water distribution system, new raw sludge pumps, new laboratory facilities, new office facilities, a plant process controller system, a new railroad siding, chemical handling and storage facilities, electrical work, piping, sluice gates, meters, valves, pumps, heating-ventilating and air conditioning work, painting, new stormwater pumps, and discharge chamber, landscaping and all other related work and appurtenances; additions to the treatment ponds, consisting of the construction of additional ponds, cleaning of the existing pond, interconnecting piping and structures, flow diversion sheeting, new outfall structures and channels, sluice gates, overflow structures, piping, valves, electrical work and appurtenances; and additions to the sludge handling facilities, including the construction of new sludge dewatering lagoon cells, levee construction and improvements, Maumee River channel improvements, lift station and force main, maintenance garage and equipment, electrical work, landscaping, roads, fencing, piping, valves and all related work and appurtenances for sludge handling. Said improvements and extensions shall be constructed in accordance with the plans and specifications heretofore prepared and filed by Henry B. Steeg & Associates, A Division of Howard, Needles, Tammen & Bergendoff, Consulting Engineers of Indianapolis, Indiana, all of which plans and specifications are hereby approved and by reference made a part of this ordinance as fully as if the same were attached hereto and incorporated herein; provided that the cost of construction of said improvements and extensions and acquisition of necessary property therefor shall not exceed the estimated sum of Thirty-four Million Eighty-three Thousand Two Hundred Thirty-six Dollars (\$34,083,236) except as to the application of available cash funds on hand if needed. The terms "sewage works," and other like terms where used in this ordinance shall be construed to mean and include all existing structures and property and all extensions, enlargements and improvements hereafter constructed or acquired, whether from the proceeds of the bonds herein authorized or otherwise. The additional improvements and extensions to said works shall be constructed and the bonds herein authorized shall be issued pursuant to and in accordance with the provisions of IC 1971, 19-2-5, and all laws amendatory thereof and supplemental thereto, hereinafter sometimes referred to as the "Act" or "governing statutes."

SECTION 2. The City of Fort Wayne, shall issue its sewage works revenue bonds in the amount of Seven Million Dollars (\$7,000,000) for the purpose of procuring funds to be applied on the cost of said additional improvements and extensions to said works, as defined in said Act. The bonds authorized by this ordinance shall be designated as "Sewage Works Improvement Revenue Bonds of 1975." The revenue bonds herein authorized to be issued shall be of equal priority with the now outstanding Sewage Works Improvement Revenue Bonds, dated November 1, 1959, Sewage Works Improvement Revenue Bonds of 1961, dated August 1, 1961, and Sewage Works Improvement Revenue Bonds of 1970, dated April 1, 1970.

Said bonds shall be issued in the denomination of Five Thousand Dollars (\$5,000), numbered consecutively from 1 to 1400 inclusive, dated as of the first day of the month in which sold, and shall bear interest at a rate or rates not exceeding seven and one-half per cent (7-1/2%) per annum, payable on the first days of February and August in each year, beginning on August 1, 1975. Such interest shall be evidenced by coupons attached to said bonds. Both bonds and interest coupons shall be payable in lawful money of the United States of America at the Lincoln National Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or at the option of the holder, at the Continental Illinois National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or the Irving Trust Company, in the Borough of Manhattan, City and State of New York, and such bonds shall mature serially in numerical order on August 1 in the years and amounts as follows:

Year	Amount	Year	Amount	Year	Amount
1975	\$100,000	1982	\$175,000	1990	\$315,000
1976	125,000	1983	190,000	1991	395,000
1977	135,000	1984	195,000	1992	320,000
1978	135,000	1985	205,000	1993	475,000
1979	145,000	1986	215,000	1994	650,000
1980	155,000	1987	220,000	1995	710,000
1981	155,000	1988	240,000	1996	740,000
		1989	265,000	1997	740,000

SECTION 3. The bonds of this issue maturing on August 1, 1987, and thereafter, shall be redeemable at the option of the City, in whole or in part, on February 1, 1987, or any interest payment date thereafter, in inverse order of maturity and by lot within maturities, at face value, together with the following premiums:

- 5% if redeemed on February 1, 1987, or thereafter on or before August 1, 1989;
- 4% if redeemed on February 1, 1990, or thereafter on or before August 1, 1992;
- 3% if redeemed on February 1, 1993, or thereafter on or before August 1, 1995;
- 2% if redeemed on February 1, 1996, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption shall be published at least one time in a newspaper or financial journal of general circulation published in the City of Fort Wayne, Indiana, in a financial journal or newspaper of general circulation published in the City of Indianapolis,

Indiana, and in the Bond Buyer, published in the City and State of New York, or if that financial journal should cease publication, then in a financial journal of national circulation published in the Borough of Manhattan, City and State of New York. Such publication shall not be less than thirty (30) days prior to the date fixed for redemption. If any of the bonds so to be redeemed are registered, such notice shall be mailed to the address of the registered holder as shown on the registration records of the City. The notice shall specify the date and place of redemption, and the serial numbers and dates of maturity of the bonds called for redemption. The place of redemption shall be determined by the City. Interest on the bonds so called for redemption shall cease on the redemption date fixed in such notice, if sufficient funds are available at the place of redemption to pay the redemption price on the date so named and thereafter when presented for redemption. Coincidentally with the payment of the redemption price, the bonds so called for redemption shall be surrendered for cancellation, together with the unmatured interest coupons appurtenant thereto.

SECTION 4. Said bonds shall be executed in the name of the City by the facsimile signature of the Mayor, countersigned by the facsimile signature of the City Controller, and attested by the manual signature of the City Clerk, who shall affix the seal of said City to each of said bonds. The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the Mayor and City Controller, and said officials, by the execution of said bonds, shall adopt as and for their own proper signatures their facsimile signature appearing on said coupons. In case any officer whose signature appears on the bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery thereof. Said bonds shall have all of the qualities and incidents of negotiable instruments under the laws of the State of Indiana.

Said bonds shall be negotiable by delivery unless registered. Upon presentation of any of the bonds at the office of the City Controller, said City Controller shall register said bonds as to principal without charge or expense to the holder. Such registry shall be noted on each bond so presented, after which no transfer thereof shall be valid unless made by the registered owner in person or by his attorney duly authorized and similarly noted on such bond, but bonds so registered may be discharged from registry by being in like manner retransferred to bearer, after which they shall be transferable by delivery but may again be registered as before. The registration of any bond shall not affect the negotiability of the interest coupons attached thereto, but such coupons shall continue to pass by delivery merely and shall remain payable to bearer.

The principal of and interest on all of said bonds herein authorized, and all bonds on a parity therewith, shall be payable from and secured by an irrevocable pledge of and shall constitute a first charge upon all the net revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance) derived from the sewage works of the City of Fort Wayne, including the improvements and extensions herein authorized to be acquired and constructed and all improvements and extensions and replacements subsequently constructed or acquired. The City shall not be obligated to pay the bonds herein authorized or the interest thereon except from the net revenues of said works, and said bonds shall not constitute an indebtedness of the City within the meaning of the provisions and limitations of the constitution of the State of Indiana.

SECTION 5. The form and tenor of said bonds, the interest coupons to be attached thereto, and the form of registry endorsement thereon shall be substantially as follows, all blanks to be filled in properly prior to delivery thereof:

UNITED STATES OF AMERICA
State of Indiana County of Allen

No. _____

\$5,000

CITY OF FORT WAYNE
SEWAGE WORKS IMPROVEMENT
REVENUE BOND OF 1975

The City of Fort Wayne, in Allen County, State of Indiana, for value received, hereby promises to pay to the bearer, or if this bond be registered, then to the registered holder, solely out of the special revenue fund hereinafter referred to, the principal amount of

FIVE THOUSAND DOLLARS

on the first day of August, 19__ (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid, at the rate of _____ per cent (____%) per annum, payable on the first days of February and August in each year, beginning on August 1, 1975, upon presentation and surrender of the annexed coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America at the Lincoln National Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the Continental Illinois National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or the Irving Trust Company, in the Borough of Manhattan, City and State of New York.

This bond is one of an authorized issue of one thousand four hundred (1,400) bonds of the City of Fort Wayne, of like date, tenor and effect, except as to interest rates and dates of maturity, in the total amount of Seven Million Dollars (\$7,000,000), numbered from 1 to 1400 inclusive, issued for the purpose of providing funds to be applied on the cost of additional improvements and extensions to the City's sewage works, as authorized by an ordinance adopted by the Common Council of the City of Fort Wayne on _____, 197_, entitled "An Ordinance concerning the construction of additional improvements and extensions to the sewage works owned and operated by the City of Fort Wayne, Indiana, the issuance of additional revenue bonds to provide funds for application on the cost thereof, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the holders of said bonds, and other matters connected therewith," and in strict compliance with the provisions of The Indiana Code of 1971, Title 19, Article 2, Chapter 5, and the laws amendatory thereof and supplemental thereto.

Pursuant to the provisions of said Act and said ordinance, the principal and interest of this bond and all other bonds of said issue, and the principal and interest of now outstanding bonds of equal priority therewith, are payable solely from the Sewage Works Sinking Fund (heretofore created by Ordinance No. S-420, adopted October 27, 1959, and continued by Special Ordinance No. S-416-70, adopted February 24, 1970) to be provided from the net revenues (herein defined as gross revenues after deduction only for the payment of the reasonable expenses of operation, repair and maintenance) of the sewage works of the City of Fort Wayne, including the additional improvements and extensions constructed or acquired by the use of the proceeds of this bond and the issue of which it is a part, and all improvements and extensions thereto and replacements thereof subsequently constructed or acquired. This bond and the bonds of the issue of which it is a part are of equal priority in respect to the application of the revenues hereinbefore referred to with certain Sewage Works Improvement Revenue Bonds, dated November 1, 1959, now outstanding in the principal amount of One Million Seven Hundred Ten Thousand Dollars (\$1,710,000), which outstanding bonds are payable annually over a period ending on August 1, 1990, certain Sewage Works Improvement Revenue Bonds of 1961, dated August 1, 1961, now outstanding in the principal amount of One Million Five Hundred Twenty Thousand Dollars (\$1,520,000), which outstanding bonds are payable annually over a period ending on August 1, 1993, and certain Sewage Works Improvement Revenue Bonds of 1970, dated April 1, 1970, now outstanding in the principal amount of Two Million Seven Hundred Eighty Thousand Dollars (2,780,000), which outstanding bonds are payable annually over a period ending on August 1, 1995. This bond shall not constitute an indebtedness of the City of Fort Wayne within the meaning of the provisions and limitations of the constitution of the State of Indiana, and the City shall not be obligated to pay this bond or the interest thereon except from said special fund provided from said net revenues.

The City of Fort Wayne irrevocably pledges the entire net revenues of said sewage works, to the extent necessary for that purpose, to the prompt payment of the principal and interest of the bonds authorized by said ordinance, of which this is one, the outstanding bonds on a parity therewith, and any bonds hereafter issued on a parity therewith. The City covenants that it will cause to be fixed, maintained and collected such rates and charges for service rendered by said works as are sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of said works, to provide for proper depreciation, and for the payment of the sums required to be paid into said Sinking Fund under the provisions of said Act and said ordinance. In the event the City, or the proper officers thereof, shall fail or refuse to so fix, maintain and collect such rates or charges, or if there be a default in the payment of the interest on or principal of this bond, the holder of this bond shall have all of the rights and remedies provided for in said IC 1971, 19-2-5, and the laws amendatory thereof and supplemental thereto, including the right to have a receiver appointed to administer the works and to charge and collect rates sufficient to provide for the payment of this bond and the interest thereon.

The City further covenants that it will set aside and pay into its Sewage Works Sinking Fund a sufficient amount of the net revenues of said works to meet (a) the interest on all bonds payable from said fund as such interest shall fall due, (b) the necessary fiscal agency charges for paying the bonds and interest, (c) the principal of all bonds payable from said fund as such principal shall fall due, and (d) an additional amount as a margin of safety and for the payment of premiums on bonds redeemed by call or purchase, which margin, together with any unused surplus of such margin carried forward from the preceding year, shall equal not less than ten per cent (10%) of all other amounts so required to be paid into said Sinking Fund.

The bonds of this issue maturing on August 1, 1987, and thereafter, are redeemable at the option of the City, in whole or in part, on February 1, 1987, or any interest payment date thereafter, in inverse order of maturity and by lot within maturities, at face value, together with the following premiums:

- 5% if redeemed on February 1, 1987, or thereafter on or before August 1, 1989;
- 4% if redeemed on February 1, 1990, or thereafter on or before August 1, 1992;
- 3% if redeemed on February 1, 1993, or thereafter on or before August 1, 1995;
- 2% if redeemed on February 1, 1996, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption; provided notice of such redemption shall be published one time at least thirty (30) days prior to the date fixed for redemption in a newspaper or financial journal of general circulation published in the City of Fort Wayne, Indiana, in a financial journal or newspaper of general circulation published in the City of Indianapolis, Indiana, and in the Bond Buyer, published in the City and State of New York, or if that financial journal should cease publication, then in a financial journal of national circulation published in the Borough of Manhattan, City and State of New York. A like notice shall be sent by mail to the holders of such

bonds as are then registered. Interest on bonds so called for redemption shall cease on the redemption date fixed in said notice, if funds are available at the place of redemption to pay the redemption price on the date so named and thereafter when presented for payment. The bonds so redeemed prior to maturity shall be surrendered for cancellation, together with all unmatured interest coupons appurtenant thereto.

If any bond or interest coupon shall not be presented for payment or redemption on the date fixed therefor, the City may deposit in trust with the Lincoln National Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, an amount sufficient to pay such bond or interest coupon or the redemption price thereof, as the case may be, and thereafter the holder shall look only to the funds so deposited in trust with said bank for payment and the City shall have no further obligation or liability in respect thereto.

This bond and all other bonds of said issue shall have all the qualities and incidents of negotiable instruments under the laws of the State of Indiana. This bond may be registered as to principal at the office of the City Controller in the City of Fort Wayne, Indiana, in the name of owner hereof, and such registration noted hereon by said City Controller. Thereafter no transfer hereof shall be valid unless made at said office by the registered owner in person or be his duly authorized attorney and similarly noted hereon, but this bond may be discharged from registration by being in like manner transferred to bearer and may again from time to time be registered or transferred to bearer as before. Such registration shall not restrict or affect the negotiability of the interest coupons hereto attached by delivery only, but such interest coupons shall always be payable to bearer.

It is hereby certified and recited that all acts, conditions and things required to be done precedent to and in the execution, issuance and delivery of this bond have been done and performed in regular and due form as provided by law.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by the facsimile signature of its Mayor countersigned by the facsimile signature of its City Controller, its corporate seal to be hereunto affixed and attested by the manual signature of its City Clerk, and the interest coupons hereto attached to be executed by placing thereon the facsimile signatures of said Mayor and City Controller, as of the first day of _____, 1975.

CITY OF FORT WAYNE
By _____ (facsimile)
Mayor
Countersigned:

City Controller

Attest:

City Clerk

(Interest Coupon)

Coupon No. _____ \$ _____

On _____ 1, 19____
(unless the bond herein mentioned shall be subject to and shall have been called for previous redemption), the City of Fort Wayne, Indiana, will pay to bearer at the Lincoln National Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the Continental Illinois National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or the Irving Trust Company, in the Borough of Manhattan, City and State of New York, out of its Sewage Works Sinking Fund, the amount shown hereon, in lawful money of the United States of America, being the interest then due on its Sewage Works Improvement Revenue Bond of 1975, dated _____ 1, 1975, No. _____

CITY OF FORT WAYNE
By _____ (facsimile)
Mayor

City Controller

This bond can be registered only at the office of the City Controller of the City of Fort Wayne, Indiana. No writing hereon except by the City Controller.

Date of Registry	In Whose Name Registered	City Controller
_____	_____	_____
_____	_____	_____
_____	_____	_____

Section 6. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the interest coupons to be attached thereto, in the form and manner herein provided. After said bonds have been properly executed, the City Controller shall deliver the same to the Treasurer of Allen County, exofficio Treasurer of the City of Fort Wayne, and shall take his receipt therefor, and upon the consummation of the sale of said bonds the City Controller shall certify to the Treasurer the amount which the purchaser is to pay for the same; thereupon, the Treasurer shall be authorized to receive from the purchaser the amount so certified by the Controller, and to deliver the bonds to such purchaser. The amount to be certified by the Controller and collected by the Treasurer shall be the full amount which the purchaser has agreed to pay therefor, which shall not be less than the face value of said bonds, plus accrued interest from the date thereof to the date of delivery. The bonds herein authorized, when

fully paid for and delivered to the purchaser, shall be binding special revenue obligations of the City, payable out of the revenues of the City's sewage works to be set aside into the Sewage Works Sinking Fund as herein provided, and the proceeds derived from the sale of said bonds shall be and are hereby set aside for application on the cost of construction of said improvements and extensions to the City's sewage works, hereinbefore referred to, and the expenses necessarily incurred in connection therewith and on account or in connection with the issuance of said bonds. The proper officers of the City are hereby directed to do all acts and things which may be necessary to carry out the provisions of this ordinance.

Sec. 7. Prior to the sale of said bonds the City Controller shall cause to be published a notice of such sale once each week for two (2) weeks in the Fort Wayne News-Sentinel and Fort Wayne Journal-Gazette, newspapers of general circulation published in the City of Fort Wayne, Indiana, the last publication to be at least seven (7) days prior to the date fixed for said sale. Said notice, or a summary thereof, may also be published in a financial journal published in the City of Indianapolis, Indiana, and a financial journal published in the City of New York, New York, in the discretion of the City Controller. The bond sale notice shall state the time and place of sale, the character and amount of the bonds, the maximum rate of interest thereon, the maturities thereof, the purpose for which the bonds are being issued, the terms and conditions upon which bids will be received and the sale made, and such other information as the City Controller and the attorneys employed by the City shall deem advisable. Said notice shall provide, among, other things, that each bid shall be accompanied by a certified or cashier's check in the amount of Seventy Thousand Dollars (\$70,000) to guarantee performance on the part of the bidder, and that in the event the successful bidder shall fail or refuse to accept delivery of the bonds and pay for the same at the time fixed in the notice of sale, then said check and the proceeds thereof shall be the property of the City and shall be considered as its liquidated damages on account of such default.

All bids for said bonds shall be sealed and shall be presented to the Controller at his office. Bidders for said bonds shall be required to name the rate or rates of interest which the bonds are to bear, not exceeding the maximum rate hereinbefore fixed. Such interest rate or rates shall be in multiples of one-eighth ($1/8$) or one-tenth ($1/10$) of one per cent (1%), and not more than four (4) different interest rates shall be named by each bidder. A rate may be repeated without being considered a different rate. Bids specifying more than one interest rate shall also specify the amount and maturities of the bonds bearing each rate, but all bonds maturing on the same date shall bear the same rate. The bonds shall be awarded by the City Controller to the highest qualified bidder who has submitted his bid in accordance with the terms of this ordinance and the notice of sale. The highest bidder will be the one who offers the lowest net interest cost to the City, to be determined by computing the total interest on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including accrued interest to the date of delivery, shall be considered. The right to reject any and all bids shall be reserved. In the event an acceptable bid is not received on the date fixed in the notice, the City Controller shall be authorized to continue the sale from day to day for a period of not to exceed thirty (30) days without readvertisement, but during such continuation no bid shall be accepted which is lower than the highest bid offered at the advertised sale.

Prior to the delivery of said bonds, the Controller shall be authorized to obtain a legal opinion as to the validity of the bonds from Ice Miller Donadio & Ryan, acting as bond counsel for the City, and to furnish such opinion to the purchaser of the bonds at the time of delivery thereof. The fee of such bond counsel shall be considered as a part of the cost of the project on account of which said bonds are issued, and shall be paid out of the proceeds of said bonds.

Sec. 8. The accrued interest and premium received at the time of the delivery of the bonds, if any, shall be deposited in the Sewage Works Sinking Fund heretofore created by Ordinance No. S-420, adopted October 27, 1959, and continued by Special Ordinance No. S-604, adopted July 11, 1961, and Ordinance No. S-416-70, adopted February 24, 1970. The remaining proceeds from the sale of said bonds shall be deposited in a bank or banks which are legally designated depositories for the funds of the City, in a special account or accounts to be designated as "City of Fort Wayne, Sewage Works Construction Account." All funds deposited to the credit of said Sewage Works Sinking Fund or Sewage Works Construction Account shall be deposited, held and secured or invested in accordance with the laws of the State of Indiana relating to the depositing, holding and securing or investing of public funds. The depository or depositories for said Sewage Works Sinking Fund shall be a bank which shall be a member of the Federal Reserve System and of the Federal Deposit Insurance Corporation, or like organizations having similar powers and duties. The funds in said Sewage Works Construction Account shall be expended only for the purpose of paying the cost of the improvements and extensions to the works, as defined in IC 1971, 19-2-5, as amended, or as otherwise required by said Act. Any balance or balances remaining unexpended in such special account or accounts after completion of the works, which are not required to meet unpaid obligations incurred in connection with such project, shall be paid into the Sewage Works Sinking Fund and shall be used solely for the purposes of said fund.

Subject to the approval of the Board of Public Works, the City Controller is hereby authorized to invest in direct obligations of the United States Government, and such other obligations as are permitted by the laws of the State of Indiana for the investment of public funds, such portion of the funds in said Sewage Works Construction Account as shall not be required for immediate use, provided that no such investment shall be made at a cost in excess of the par value of the securities or obligations purchased, and that none of the funds shall be invested in any securities or obligations the maturity date of which is later than the time when such funds are required to be available for the purposes thereof, or if the time when such funds will be required for use cannot be determined, such investment shall be made only in securities or obligations having a maturity date of one (1) year or less from the date of purchase. Such investment shall be made in strict accordance with the provisions of the laws of the State of Indiana, and any interest or other accretions derived from any such investments shall become a part of the funds invested. In conformity with the provisions of the governing statutes, the holders of said bonds shall be entitled to a lien on the proceeds of said bonds until the same are applied on the project on account of which said bonds were issued.

Sec. 9. The special fund designated "Sewage Works Sinking Fund" created by Ordinance No. S-420, adopted on October 27, 1959, as the fund for the payment of the Sewage Works Improvement Revenue Bonds

authorized by the ordinance, and designated by Special Ordinance No. S-604, adopted on July 11, 1961, as the fund for the payment of the Sewage Works Improvement Revenue Bonds of 1961 authorized by that Ordinance, and designated by Ordinance No. S-416-70, adopted on February 24, 1970, as the fund for the payment of the Sewage Works Improvement Revenue Bonds of 1970 authorized by that ordinance, is hereby designated as the special fund for the payment of the interest on the principal of the revenue bonds authorized by this ordinance and the payment of any fiscal agency charges in connection with the payment of the bonds and interest coupons. Said fund shall be continued until all of the bonds issued under said prior ordinances and this ordinance have been paid. There shall be set aside and paid into said Sinking Fund monthly, as available, or oftener if necessary, a sufficient amount of the net revenues of said sewage works for the payment of (a) the interest on all bonds payable from said Sinking Fund as such interest shall fall due, (b) the necessary fiscal agency charges for paying said bonds and interests, (c) the principal of all bonds payable from said Sinking Fund as such principal shall fall due, and (d) an additional amount as a margin of safety and for the payment of premiums upon bonds redeemed by call or purchase, which margin, together with any unused surplus of such margin carried forward from the preceding year, shall equal not less than ten per cent (10%) of all other amounts so required to be paid into said Sinking Fund. The Sewage Works Improvement Revenue Bonds, Sewage Works Improvement Revenue Bonds of 1961, and Sewage Works Improvement Revenue Bonds of 1970, hereinbefore referred to, and the bonds authorized by this ordinance shall be of equal priority in respect to the payment of interest and principal from the funds in said Sewage Works Sinking Fund. The term "net revenues" as used in this section shall be construed to mean the revenues remaining after the reasonable costs of operation, maintenance and repair have been paid. The monthly payments into said Sinking Fund shall be in an amount equal to at least one-twelfth (1/12) of the amount required for such payments during the then next succeeding twelve (12) calendar months and shall continue until such time as said fund shall contain an amount sufficient to pay all of the herein authorized bonds then outstanding, together with the interest thereon to the dates of maturity thereof. In addition to said required monthly payments into the Sewage Works Sinking Fund, all of the net revenues of said sewage works not used in making said required sinking fund payments shall be set aside and paid into said Sinking Fund monthly, as available, until there has been accumulated in said Sewage Works Sinking Fund, over and above said required payments, an amount equal to the sum of the principal and interest on all then outstanding bonds which will be payable during the then next succeeding twelve (12) calendar months. Thereafter, said fund shall be maintained at such level, and additional amounts of net revenues shall be deposited in said fund to the extent necessary to maintain such level.

In no event shall any part of the Sewage Works Sinking Fund be used in calling bonds for redemption prior to maturity, except to the extent that the amount then in said Sinking Fund exceeds the amount required to pay the principal of the bonds, payable therefrom which will mature within a period of twelve (12) calendar months next following the date of such redemption, together with all interest on the bonds payable in said period. Any such excess of funds above said required level may also be used in purchasing outstanding bonds at a price less than the then applicable redemption price, if first approved by the Board of Public Works. Moneys in said Sinking Fund shall not be used for any other purpose whatsoever except as provided in this ordinance, and in the event of investment, shall be invested in direct obligations of the United States of America or obligations the payment of the principal and interest of which is guaranteed by the United States of America.

Sec. 10. In the event all required payments into the Sewage Works Sinking Fund have been met to date and there has been accumulated as a reserve in said Sewage Works Sinking Fund over and above said payments an amount equal to the sum of the principal and interest on the then outstanding bonds which will be payable during the then next succeeding twelve (12) calendar months, and there has been accumulated and reserved funds in an amount sufficient for operation, repair and maintenance of the works for the then next succeeding twelve (12) calendar months, and for depreciation, then any excess revenues of the works available may be placed in a Sewage Works Improvement Fund and be used to pay the cost of improvements, betterments, extensions, enlargements and additions to the works. No revenues of the works shall be deposited in or credited to the Sewage Works Improvement Fund which will interfere with the requirements of the Sewage Works Sinking Fund, the accumulation of the required reserve therein, or with the requirements as to reserving funds for the operation, maintenance and repair of the works, and for depreciation. All or any portion of the funds accumulated and reserved for operation, repair and maintenance for the then next succeeding twelve (12) calendar months and unobligated funds in the Sewage Works Improvement Fund shall be transferred to the Sewage Works Sinking Fund if necessary to prevent a default in the payment of principal of or interest on the bonds payable from said Sinking Fund.

Sec. 11. All revenues received on account of the sewage works shall be segregated and kept in a special fund separate and apart from all other funds of the City. Out of this fund the proper and reasonable expenses of operation, repair and maintenance of the works shall be paid and the requirements of the Sewage Works Sinking Fund shall be met. The City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from said works and deposited in said fund, and all disbursements made therefrom on account of the operation of the works, and to meet the requirements of the Sewage Works Sinking Fund, also all other financial transactions relating to said works, including the amounts set aside or credited to the Sewage Works Sinking Fund and Sewage Works Improvement Fund, and the cash balances in each of said funds as of the close of the preceding fiscal year. There shall be prepared and furnished to the original purchaser of the bonds, and, upon written request, to any holder of the bonds at the time then outstanding, not more than ninety (90) days after the close of each fiscal year, income and expense and balance sheet statements of the works, covering the preceding fiscal year, which annual statements shall be certified by the City Controller, or the person charged with the duty of auditing the books and records relating to said works, or an independent certified public accountant employed for that purpose. Copies of all such statements and reports shall be kept on file in the office of the City Controller. Any holder or holders of the bonds then outstanding shall have the right at all reasonable times to inspect the works and all records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

Sec. 12. The City shall, by ordinance of the Common Council, maintain just and equitable rates or charges for the use of and the services rendered by said works, to be paid by the owner of each and every lot, parcel of real estate or building that is connected with and uses said sewage works by or through any part of the sewerage system of the City, or that in any way uses or is served by such works. Such rates or charges shall be sufficient in each year for the payment of the proper and reasonable expenses of operation, repair and maintenance of the works and the payment of the sums required to be paid into the Sewage Works Sinking Fund by said governing Act. Such rates or charges shall, if necessary, be changed and readjusted from time to time so that the revenues therefrom shall always be sufficient to meet the expenses of operation, repair and maintenance, depreciation, and the requirements of the Sewage Works Sinking Fund. The rates or charges so established shall apply to any and all use of such works by and services rendered to the City and all departments thereof, and shall be paid semi-annually by the City or the various departments thereof as the charges accrue.

Sec. 13. The City reserves the right to authorize and issue additional bonds, payable out of the revenues of its sewage works, ranking on a parity with the bonds authorized by this ordinance, for the purpose of financing the cost of future additions, extensions and improvements to the sewage works, subject to the following conditions:

(a) The interest on and principal of all bonds payable from the revenues of the sewage works shall have been paid to date in accordance with the terms thereof.

(b) As of the date of issuance of such additional bonds, the balance in the Sewage Works Sinking Fund shall equal not less than the principal and interest requirements of the then outstanding bonds payable during the then next succeeding twelve (12) calendar months.

(c) The net revenues of the sewage works in the fiscal year immediately preceding the issuance of any such bonds ranking on a parity with the bonds authorized by this ordinance shall be not less than one hundred twenty-five per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued; or, prior to the issuance of said parity bonds, the sewage rates and charges shall be increased sufficiently so that said increased rates and charges applied to the previous fiscal year's operations would have produced net revenues for said year equal to not less than one hundred twenty-five per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued. For purposes of this subsection, the records of the sewage works shall be analyzed and all showing shall be prepared and certified by a certified public accountant employed by the City for that purpose, who shall certify that he has no pecuniary interest in said additions, extensions or improvements, or the financing thereof, other than to analyze said records and prepare said showings.

(d) The interest on said additional bonds shall be payable semi-annually on February 1 and August 1 and the principal thereof shall be payable annually on August 1.

Sec. 14. For the purpose of further safeguarding the interests of the holders of the bonds herein authorized, it is specifically provided as follows:

(a) All contracts let by the City in connection with the construction of said improvements and extensions to the sewage works shall be let after due advertisement as required by the laws of the State of Indiana, and all contractors shall be required to furnish surety bonds in an amount equal to one hundred per cent (100%) of the amount of such contracts, to insure the completion of said contracts in accordance with their terms, and such contractors shall also be required to carry such employers' liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts, and shall be governed in all respects by the laws of the State of Indiana relating to public contracts.

(b) The additional improvements and extensions herein before referred to shall be constructed under the supervision and subject to the approval of Henry B. Steeg & Associates, A Division of Howard, Needles, Tammen & Bergendoff, or such other competent engineer as shall be designated by the Board of Public Works. All estimates for work done or material furnished shall first be checked by the appropriate engineer and approved by the Board of Public Works.

(c) The City shall at all times maintain its sewage works in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the bonds herein authorized are outstanding, the City shall maintain insurance on the insurable parts of said works of a kind and in an amount such as would normally be carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business under the laws of the State of Indiana. Insurance proceeds shall be used in replacing or repairing the property destroyed or damaged; or if not used for that purpose shall be treated and applied as net revenues of the works.

(e) So long as any of the bonds are outstanding, the City shall not mortgage, pledge or otherwise encumber such works, or any part thereof, nor shall it sell, lease or otherwise dispose of any portion thereof except replaced equipment which may become worn out or obsolete.

(f) Except as otherwise provided in Sec. 13 of this ordinance, so long as any of the bonds herein authorized are outstanding, no additional bonds or other obligations pledging any portion of the revenues of said sewage works shall be authorized, executed or issued by the City except such as

shall be made subordinate and junior in all respects to the bonds herein authorized, unless all of the bonds herein authorized are redeemed and retired coincidentally with the delivery of such additional bonds or other obligations, or the bonds have been duly called for redemption and funds sufficient to effect such redemption are available and set aside for that purpose at the time of issuance of such additional bonds.

(g) The City shall take all actions or proceeding necessary and proper to require connection of all property where liquid and solid waste, sewage, night soil, or industrial waste is produced, with available sanitary sewers. The City shall, insofar as possible, cause all such sanitary sewers to be connected with said sewage works.

(h) The provisions of this ordinance shall constitute a contract by and between the City of Fort Wayne and the holders of the sewage works revenue bonds herein authorized, and after the issuance of said bonds this ordinance, except as provided in Sec. 15 hereof, shall not be repealed or amended in any respect which will adversely affect the rights of the holders of said bonds, nor shall the Common Council or other body of the City adopt any law, ordinance or resolution which in any way adversely affects the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

(i) The provisions of this ordinance shall be construed to create a trust in the proceeds of the sale of the bonds herein authorized for the uses and purposes herein set forth, and the holders of the bonds shall retain a lien on such proceeds until the same are applied in accordance with the provisions of this ordinance and of said governing Act. The provisions of this ordinance shall also be construed to create a trust in the portion of the net revenues herein directed to be set apart and paid into the Sewage Works Sinking Fund for the uses and purposes of said fund as in this ordinance set forth. The holders of said bonds shall have all of the rights, remedies and privileges set forth in the provisions of the governing Act hereinbefore referred to, including the right to have a receiver appointed to administer said sewage works, in the event of default in the payment of the principal of or interest on any of the bonds herein authorized for a period of thirty (30) days, or in the event of default in respect to any of the provisions of this ordinance or the governing Act.

Sec. 15. Subject to the terms and provisions contained in this section, and not otherwise, the holders of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Common Council of the City of Fort Wayne of such ordinance or ordinances supplemental hereto, as shall be deemed necessary or desirable by the City of Fort Wayne for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this ordinance; or

(b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or

(c) The creation of a lien upon or a pledge of the revenues of the sewage works ranking prior to the pledge thereof created by this ordinance; or

(d) A preference or priority of any bond or bonds issued pursuant to this ordinance over any other bond or bonds issued pursuant to the provisions of this ordinance; or

(e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance.

If the holders of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the City Controller of the City of Fort Wayne, no holder of any bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Common Council of the City of Fort Wayne from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the City of Fort Wayne and all holders of bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined, exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the City and of the holders of the bonds authorized by this ordinance, and the terms and provisions of the bonds and this ordinance, or any supplemental ordinance, may be modified or altered in any respect by the City of Fort Wayne with the consent of the holders of all the bonds issued pursuant to this ordinance then outstanding.

Sec. 16. The following is the estimate of the rates and charges to the classes of users for services rendered by the sewage works:

1. Sewage Service Charges - Inside Corporate Limits

	<u>Quantity of Water Used Per Month</u>	<u>Rate Per 100 Cubic Feet</u>
First	500 cubic feet	\$.37
Next	1,500 cubic feet	.35
Next	2,500 cubic feet	.33
Next	7,500 cubic feet	.32
Next	18,000 cubic feet	.30
Next	20,000 cubic feet	.29
Next	50,000 cubic feet	.28
Next	50,000 cubic feet	.25
Next	150,000 cubic feet	.24
Next	150,000 cubic feet	.22
Over	450,000 cubic feet	.13

	<u>Minimum Charges (based on water meter size)</u>	<u>Charge Per Month</u>
	5/8 inch	\$ 1.85
	3/4 inch	2.50
	1 inch	4.20
	1-1/2 inch	8.40
	2 inch	14.90
	3 inch	33.50
	4 inch	58.60
	6 inch	100.00

2. Sewage Service Charges - Outside Corporate Limits

A surcharge of 100% is added to all sewage bills rendered to users located outside the corporate limits of the City.

3. Bulk Rate Contracts

All bulk rate contracts will be increased 24% on the same effective date as the proposed rates.

Sec. 17. All ordinances and parts of ordinances in conflict herewith are hereby repealed; but none of the provisions of this ordinance shall be so construed as adversely affecting the rights of holders of said outstanding Sewage Works Improvement Revenue Bonds, issued under date of November 1, 1959, Sewage Works Improvement Revenue Bonds of 1961, issued under date of August 1, 1961, and Sewage Works Improvement Revenue Bonds of 1970, issued under date of April 1, 1970.

Sec. 18. This ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

Paul M. Burns Council
Councilman

SUSPENSION OF RULES

BILL NO. G-74-12-33

Councilman Burns, moved to suspend the rules on passage of BILL NO. G-74-12-33, at this meeting of December 27, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and General ORDINANCE was accordingly placed on its passage.

DATE: 12-27-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven

Burns, Hinga, Nuckols, Moses, V. Schmidt, Stier, Talarico

Nays: None

Absent: Two

Kraus, D. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-39-74.

ATTEST:

(SEAL)

Date: 12-27-74

Charles W. Westerman
City Clerk

Concurred in 12-27-74

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. PASSED By the following vote:

Ayes: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Kraus, D. Schmidt

Date: 12-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-39-74 on the 27th day of December, 1974.

ATTEST:

(SEAL)

Charles W. Westerman
City Clerk

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1974, at the hour of 6:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1974, at the hour of 8:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

SUSPENSION OF RULES

BILL NO. G-74-12-35

Councilman Burns, moved to suspend the rules on passage of BILL NO. G-74-12-35, at this meeting of December 27, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of said Common Council.

The above BILL and General ORDINANCE was accordingly placed on its passage.

DATE: 12-27-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

Ayes: Seven
Burns, Hinga, Nuckols, Moses, V. Schmidt, Stier, Talarico
Nays: None
Absent: Two
Kraus, D. Schmidt

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-40-74.

ATTEST:

(SEAL)

DATE: 12-27-74

Charles W. Westerman
City Clerk

Concurred in 12-27-74
Charles W. Westerman, City Clerk

BILL NO. G-74-12-35

ORDINANCE NO. G-40-74

AN ORDINANCE of the City of Fort Wayne, Indiana, concerning the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, and matters connected therewith

WHEREAS, the City of Fort Wayne is the owner of and operates an unencumbered waterworks furnishing the public water supply to said City and its inhabitants; and

WHEREAS, the Board of Public Works, having the management of said waterworks, has determined, and the Council now finds, that said waterworks is in need of certain extensions and additions, consisting of renovating and improving the water filtration plant including the St. Joe dam intake, construction of feeder mains, reconstruction of distribution mains in the Wayndale area, and the purchase of water meters, as determined by the Engineering Department of the City's waterworks; that said extensions and additions are required in order to protect properly the health, well-being and property of the City and its inhabitants; and

WHEREAS, the Board of Public Works has determined that the cost of the proposed extensions and additions, based upon construction bids received and estimates as to contingencies and incidental expenses, will be Two Million Five Hundred Thousand Dollars (\$2,500,000), and has represented to the Council, and the Council now finds, that, subject to the approval of the Public Service Commission of Indiana, funds for said project should be provided by the issuance and sale of revenue bonds payable solely out of the revenues of said waterworks and not constituting a general obligation of the City; that under the provisions of General Ordinances No. 2357 and 2454, such revenue bonds may be issued provided that the same are made junior and subordinate in all respects to the outstanding bonds designated as "Waterworks Revenue Bonds of 1951," issued under date of March 1, 1951, and outstanding after January 1, 1975, in the amount of Three Hundred Forty-six Thousand Dollars (\$346,000), maturing serially over a period ending on January 1, 1976, and are made on a parity with the bonds authorized by General Ordinance No. G-95-67, as amended by General Ordinances No. G-104-67 and G-110-67, and designated as "Waterworks Revenue Bonds of 1967," issued under date of November 1, 1967, and now outstanding in the amount of Three Million Dollars (\$3,000,000), maturing serially over a period ending on January 1, 2000, and the bonds authorized by General Ordinance No. G-29-68 and designated as "Waterworks Revenue Bonds of 1968," issued under date of December 1, 1968, and now outstanding in the amount of Three Million Two Hundred Thousand Dollars (\$3,200,000), maturing serially over a period ending on January 1, 2000; and that the revenues of the City's waterworks will be sufficient to provide for the operation and maintenance thereof, depreciation, and the servicing of said outstanding revenue bonds and the revenue bonds authorized by this ordinance, provided that the water rates and charges are increased concurrently herewith; and that it would be to the best interests of the City and its citizens to proceed with the proposed extensions and additions to the City's waterworks; now therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the City of Fort Wayne (hereinafter sometimes referred to as the "City"), being the owner of and engaged in operating an unencumbered waterworks supplying the City and its inhabitants with water for public and domestic use, now provide for certain needed extensions and additions to such waterworks and the payment for such extensions and additions by the issuance of bonds payable from the revenues and receipts of said waterworks, pursuant to and in the manner prescribed in The Indiana Code of 1971, Title 19, Article 3, Chapter 17, and the laws amendatory thereof and supplemental thereto (sometimes hereinafter referred to as the "Act"). The terms "waterworks," "waterworks system," and "system," wherever used in this ordinance shall be construed to mean and include the existing waterworks owned by the City of Fort Wayne, and all extensions, additions and improvements thereto and replacements thereof now or subsequently constructed or acquired.

Section 2. Said extensions and additions shall include the renovation and improving of the water filtration plant including the St. Joe dam intake, construction of feeder mains, reconstruction of distribution mains in the Wayndale area, and the purchase of water meters, all of which shall be constructed and installed in accordance with the plans and specifications prepared by the Engineering Department of the City's waterworks, which plans and specifications are made a part hereof by reference and are hereby approved. The Board of Public Works is hereby authorized to proceed with the construction and installation of said extensions and additions, and to enter into all contracts necessary for such purpose in conformity with the provisions of this ordinance and of said Act; provided that the principal and interest of all bonds issued pursuant to this ordinance shall be paid solely and exclusively from the revenues of said waterworks system and that no bonds shall be issued or sold until the approval of the Public Service Commission of Indiana shall have been obtained for the issuance of such bonds, and said Commission shall have certified that the estimated income and revenues of the waterworks system under the increased rates, in addition to providing for operation, maintenance and depreciation of said system, are sufficient to pay the interest on and the principal of the outstanding bonds payable out of the revenues of the waterworks system and the interest on and principal of the bonds authorized by this ordinance. The Mayor and Board of Public Works are hereby authorized to file a proper petition with the Public Service Commission for the purpose of securing the required approval for said Commission.

Section 3. The income and revenues of the City's waterworks system shall be set aside into a separate and special fund to be used and applied in the maintenance and operation thereof, in establishing a depreciation account, and to the payment of the interest on and principal of the bonds authorized by General Ordinances No. 2357 and 2454, General Ordinance No. G-95-67 (as amended by General Ordinances No. G-104-66 and G-110-67), and General Ordinance G-29-68, and by this ordinance, and such other bonds as may be legally payable out of the income and revenues of the waterworks, in accordance with their respective priorities and provisions. The proportion of the gross revenues of said waterworks that shall be paid into the several accounts of said special fund, beginning as of the date of issuance of the bonds herein authorized, is hereby fixed and determined as follows:

(a) Operation and Maintenance Account. Sixty-five per cent (65%) of the gross revenues of said waterworks shall be set aside into the Operation and Maintenance Account, and shall be used solely to pay the necessary costs of the reasonable and proper operation and maintenance of the waterworks, including any taxes required to be apaid. The necessary cost of the reasonable and proper operation and maintenance of the waterworks shall, in addition to the usual items chargeable to operation and maintenance, be deemed to include payments to the Civil City of Fort Wayne in lieu of taxed which would be payable if the waterworks were a privately-owned utility; provided, however, that no payments on account of said additional item shall be made which will in any wise adversely affect or jeopardize the continued operation of the waterworks or interfere with the payment of current operating and maintenance charges as the same accrue. The funds so set aside for operation and maintenance shall be applied exclusively to that purpose until a surplus shall have been accumulated in said account which will be equal to the cost of maintaining and operating the system during the remainder of the calendar, operating or fiscal year then current, and the cost of maintaining and operating said system during the calendar, operating or fiscal year then next ensuing. Any excess over such surplus may be transferred to the Depreciation Account, or the Bond and Interest Redemption Account hereinafter referred to.

(b) Deprecitaion Account. Twelve per cent (12%) of the gross revenues of said waterworks shall be set aside into the Deprecitaion Account and shall be expended in making good depreciation in the waterworks or in new construction, extensions or additions to the property of the waterworks. Any accumulations in said Depreciation Account not required for immediate use may be invested in direct obligations of the United States Government to the extent permitted by law, and if so invested the income from the investment shall accrue to the Depreciation Account. The funds in said account shall not be used for any purpose other than as herein provided.

(c) Bond and Interest Redemption Account. Twenty-three per cent (23%) of the gross revenues of the waterworks shall, as such revenues are received, be set apart and paid into a special account to be identified as the "Bond and Interest Redemption Account." The funds in said account shall be used solely for the purpose of paying the interest on and principal of the Waterworks Revenue Bonds of 1967, issued pursuant to General Ordinance No. G-95-67 (as amended by General Ordinances No. G-104-67 and G-110-67), the Waterworks Revenue Bonds of 1968, issued pursuant to General Ordinance No. G-29-68, the bonds issued pursuant to the provisions of this ordinance, and any bonds hereafter issued ranking on a parity therewith, to the extent required for that purpose; subject, however, to the prior payment from said account, in accordance with the terms thereof, of the principal of and interest on certain revenue bonds designated "Waterworks Revenue Bonds of 1951," issued pursuant to General Ordinances No. 2357 and 2454. If and when a surplus shall be created in said Bond and Interest Redemption Account which shall be in excess of the interest on and principal of the bonds, plus ten per cent (10%), which are payable during the then current calendar, operating or fiscal year, together with the amount of interest on and principal of the bonds which will become due and payable during the calendar, operating or fiscal year then next ensuing, then any excess over such surplus may be transferred to either the Operation and Maintenance Account or the Depreciation Account. In the event any of the bonds payable out of said Bond and Interest Redemption Account shall be subject to redemption prior to maturity, any such excess over such surplus may also be used in the redemption of outstanding bonds at not more than the redemption prices and in accordance with the redemption provisions applicable thereto.

All of the funds of said several accounts shall be deposited in lawful depositories of the City and shall be continuously held and secured, or invested as provided by the laws of Indiana relating to the depositing, securing and holding, or investing of public funds. In no event shall any of the revenues of said waterworks be transferred or used for any purpose not authorized by this ordinance or reasonably implied by the provisions hereof, so long as there are outstanding any bonds payable out of the income and revenues of the City's waterworks.

Section 4. For the purpose of procuring funds with which to pay the cost of construction and installation of the extensions and additions to its waterworks, the City shall issue its revenue bonds under and pursuant to the provisions of this ordinance and said Act, which bonds shall be payable only out of the special Bond and Interest Redemption Account herein provided for, and shall be designated as "Waterworks Revenue Bonds of 1975." Said bonds shall be in a principal amount not exceeding Two Million Five Hundred Thousand Dollars (\$2,500,000), in the denomination of Five Thousand Dollars (\$5,000) each, numbered consecutively from 1 up, dated as of the first day of the month in which said bonds are sold, and shall bear interest at a rate or rates not exceeding seven and one-half per cent (7-1/2%) per annum (the exact rate or rates to be determined by bidding), which interest shall be payable semi-annually on January 1 and July 1 of each year, beginning on July 1, 1975, and shall be evidenced by coupons attached to said bonds.

Both bonds and interest coupons shall be payable at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the American National Bank and Trust Company of Chicago, Illinois, or at the Manufacturers Hanover Trust Company, in the Borough of Manhattan, City and State of New York, in Lawful money of the United States of America, and said bonds shall mature serially on January 1 in the years and amounts as follows:

Year	Amount	Year	Amount	Year	Amount
1977	\$45,000	1983	\$ 85,000	1989	\$160,000
1978	55,000	1984	90,000	1990	175,000
1979	55,000	1985	100,000	1991	190,000
1980	60,000	1986	110,000	1992	205,000
1981	70,000	1987	125,000	1993	225,000
1982	80,000	1988	145,000	1994	245,000
				1995	280,000

The bonds of this issue maturing on January 1, 1985, and thereafter, shall be redeemable at the option of the City, in whole or in part, in inverse chronological order of maturity and by lot within a maturity, on July 1, 1984, or any interest payment date thereafter, at face value, together with the following premiums:

- 5% if redeemed on July 1, 1984, or thereafter on or before January 1, 1987;
- 4% if redeemed on July 1, 1987, or thereafter on or before January 1, 1990;
- 3% if redeemed on July 1, 1990, or thereafter on or before January 1, 1993;
- 2% if redeemed on July 1, 1993, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption. Notice of such redemption shall be published at least thirty (30) days prior to the date fixed for redemption at least one time in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a financial journal of general circulation published in the City of New York, New York, and a like notice shall be sent by mail to the holders of such bonds as are then registered. The notice shall specify the date and place of redemption. Interest on the bonds so called for redemption shall cease on the date fixed in said notice, if funds are available at the place of redemption to redeem the bonds when presented.

Sec. 5. Said bonds shall be executed in the name of the City by the facsimile signature of the Mayor, countersigned by the facsimile signature of the City Controller, and attested by the manual signature of the City Clerk, who shall affix the seal of the City to each of said bonds. The interest coupons attached to said bonds shall be executed by placing thereon the facsimile signatures of the Mayor and City Controller, and said officials, by the execution of said bonds, shall adopt as and for their own proper signatures their facsimile signatures appearing on said coupons. In case any officer whose signature appears on the bonds and coupons shall cease to be such officer before the delivery of such bonds, his signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery. Said bonds shall be negotiable by delivery unless registered. Upon presentation of the bonds at the office of the City Controller in the City of Fort Wayne, said City Controller shall register said bonds without charge or expense to the holder, as to the principal thereof. Such registry shall be noted on the bond, after which no transfer thereof will be valid unless made by the registered owner in person or by his attorney duly authorized and similarly noted on the bond, but said bond may be discharged from registry by being in like manner transferred to bearer, after which it shall be transferable by delivery but may be again registered as before. The registration of any bond shall not affect the negotiability of the interest coupons attached thereto, but such coupons shall continue to pass by delivery only and shall remain payable to bearer.

Sec. 6. The form and tenor of said bonds, the interest coupons to be attached thereto, and the form of registry endorsement thereon shall be substantially as follows, to-wit:

UNITED STATE OF AMERICA
State of Indiana County of Allen

No. _____ \$5,000

CITY OF FORT WAYNE
WATERWORKS REVENUE BOND OF 1975

The City of Fort Wayne, in Allen County, State of Indiana, for value received, hereby promises to pay to the bearer, or if this bond be registered then to the registered holder hereof, solely out of the special revenue fund hereinafter referred to, the principal amount of

FIVE THOUSAND DOLLARS

On the first day of January, 19____ (unless this bond be subject to and be called for redemption prior to maturity as hereinafter provided), and to pay interest thereon from the date hereof until the principal is paid, at the rate of _____

1000

per cent (_____ %) per annum, payable semi-annually on the first days of January and July of each year, beginning July 1, 1975, but only upon presentation and surrender of the annexed interest coupons as they severally become due.

Both principal and interest of this bond are payable in lawful money of the United States of America, at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the American National Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or at the Manufacturers Hanover Trust Company, in the Borough of Manhattan, City and State of New York.

This bond is one of an authorized issue of five hundred (500) bonds of the City of Fort Wayne, of like date, denomination, tenor and effect, except as to rates of interest and dates of maturity, in the total amount of Two Million Five Hundred Thousand Dollars (\$2,500,000), numbered consecutively from 1 to 500 inclusive, issued for the purpose of providing funds to pay the cost of extensions and additions to the municipally owned waterworks of said City, pursuant to an ordinance passed by the Common Council of said City on the _____ day of _____, 197_, entitled "An Ordinance of the City of Fort Wayne, Indiana, concerning the construction of extensions and additions to the waterworks system owned and operated by said City, authorizing the issuance of revenue bonds to provide for the cost thereof, and matters connected therewith," and in strict compliance with the provisions of the governing statutes, particularly Title 19, Article 3, Chapter 17 of the Indiana Code of 1971, and all laws amendatory thereof or supplemental thereto.

The principal of and interest on this bond and all other bonds of said issue, certain Waterworks Revenue Bonds of 1967, now outstanding in the principal amount of Three Million Dollars (\$3,000,000), issued under date of November 1, 1967, pursuant to General Ordinance No. G-104-67, as amended by General Ordinances No. G-104-67 and G-110-67, bearing interest at the rate of five per cent (5%) per annum, and, maturing over a period ending on January 1, 2000, certain Waterworks Revenue Bonds of 1968, now outstanding in the principal amount of Three Million Two Hundred Thousand Dollars (\$3,200,000), issued under date of December 1, 1968, pursuant to General Ordinance No. G-29-68, bearing interest at the rates of five and one-half per cent (5-1/2%) and five and forty hundredths per cent (5.40%) per annum, depending on the maturities, and maturing over a period ending on January 1, 2000, all ranking on a parity herewith, and any bonds hereafter issued ranking on a parity therewith, are equally and ratably secured by and constitute a charge upon twenty-three per cent (23%) of the gross income and revenues of the municipally owned waterworks of the City, as the same now exists or may hereafter be improved or extended, which percentage of such income and revenues is to be deposited in a special account designated as the "Bond and Interest Redemption Account," heretofore duly created by General Ordinances No. 2357 and 2454; all subject, however, to the prior payment from said account, in accordance with the terms thereof, of the interest on and principal of certain bonds designated "Waterworks Revenue Bonds of 1951," now outstanding in the principal amount of Three Hundred Forty-six Thousand Dollars (\$346,000), issued under date of March 1, 1951, bearing interest at the rate of two and one-half per cent (2-1/2%) per annum, and maturing serially over a period ending on January 1, 1976, which bonds were authorized by General Ordinances No. 2357 and 2454. The City shall not be obligated to pay said bonds or the interest thereon except from said special fund, and neither this bond nor the issue of which it is a part shall in any respect constitute a corporate indebtedness of the City within the provisions and limitations of the constitution of the State of Indiana.

The bonds of this issue maturing on January 1, 1985, and thereafter, are redeemable at the option of the City, in whole or in part, in inverse chronological order of maturity and by lot within a maturity, on July 1, 1984, or any interest payment date thereafter, at face value, together with the following premiums:

- 5% if redeemed on July 1, 1984, or thereafter on or before January 1, 1987;
- 4% if redeemed on July 1, 1987, or thereafter on or before January 1, 1990;
- 3% if redeemed on July 1, 1990, or thereafter on or before January 1, 1993;
- 2% if redeemed on July 1, 1993, or thereafter prior to maturity;

plus in each case accrued interest to the date fixed for redemption; provided notice of such redemption shall be given at least thirty (30) days prior to the date fixed therefor by one publication in a newspaper or financial journal of general circulation published in the City of Indianapolis, Indiana, and a financial journal of general circulation published in the City of New York, New York, and a like notice be sent by mail to the holders of such bonds as are then registered. Interest on the bonds so called for redemption shall cease on the redemption date fixed in said notice, if sufficient funds are available at the place of redemption to redeem the bonds when presented in accordance with the terms thereof. The bonds so redeemed prior to maturity shall be surrendered for cancellation, together with all unmatured interest coupons appurtenant thereto.

The City covenants that it will, to the fullest extent permitted by law, fix maintain and collect an aggregate of rates and charges for the services rendered by the City's waterworks system which will be sufficient to pay all costs of operation and maintenance of said system, to provide a proper and adequate depreciation account, and to create and maintain the sinking fund required for the payment of the interest on and principal of this issue of bonds and all other bonds payable from the revenues of the City's waterworks system, in accordance with the terms thereof, and that it will in all other respects faithfully comply with all other provisions of the ordinance and statute pursuant to which this bond is issued. In the event the City shall make any default in the payment of the principal of or interest on this bond, the holder hereof shall have all of the rights and remedies provided by the governing statutes, including the right to compel the collection of sufficient rates and charges to provide for the payment of this bond and the interest thereon in accordance with the terms hereof.

This bond may be registered in the name of the owner in the manner and with the effect provided in the ordinance hereinbefore referred to, but unless registered this bond shall pass by delivery only. The registration of this bond shall not affect the negotiability of the interest coupons attached hereto, but said coupons shall continue to pass by delivery merely and shall remain payable to bearer.

It is hereby certified and recited that all acts, conditions and things required to be done or exist precedent to and in the execution, issuance and delivery of this bond have been done and performed and exist in regular and due form as provided by law.

IN WITNESS WHEREOF, the City of Fort Wayne, in Allen County, State of Indiana, has caused this bond to be executed in its corporate name by the facsimile signature of its duly elected, qualified and acting Mayor, countersigned by the facsimile signature of its duly appointed City Controller, its corporate seal to

be hereunto affixed and attested by the manual signature of its duly elected, qualified and acting City Clerk, and the interest coupons attached hereto to be executed by placing thereon the facsimile signatures of said Mayor and City Controller, all as of the first day of _____, 1975.

CITY OF FORT WAYNE
By _____ (facsimile)
Mayor

Countersigned: _____ (facsimile)
City Controller

Attest:

City Clerk

(Interest Coupon)

Coupon No. _____ \$ _____

On _____ 1, 19____
(Unless the bond herein mentioned shall be subject to and shall have been called for previous redemption), the City of Fort Wayne, Indiana, will pay to bearer at the Indiana Bank and Trust Company of Fort Wayne, in the City of Fort Wayne, Indiana, or, at the option of the holder, at the American National, Bank and Trust Company of Chicago, in the City of Chicago, Illinois, or the Manufacturers Hanover Trust Company, in the Borough of Manhattan, City and State of New York, out of its waterworks Bond and Interest Redemption Account, the amount shown hereon, in lawful money of the United States of America, being the interest then due on its Waterworks Revenue Bond of 1975, dated _____ 1, 1975, No. _____.

CITY OF FORT WAYNE
By _____ (facsimile)
Mayor

City Controller (facsimile)

REGISTRATION ENDORSEMENT

This bond can be registered only at the office of the City Controller of the City of Fort Wayne, Indiana. No writing hereon except by the City Controller.

Date of Registry	In Whose Name Registered	City Controller
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sec. 7. The City Controller is hereby authorized and directed to have said bonds and coupons prepared, and the Mayor, City Controller and City Clerk are hereby authorized and directed to execute said bonds and the coupons to be attached thereto in the form and manner hereinbefore provided. The City Controller shall sell said bonds at public sale. Prior to the sale of the bonds, the City Controller shall cause to be published a notice of sale once each for two weeks in the Fort Wayne Journal-Gazette and the Fort Wayne News-Sentinel, published in the City of Fort Wayne. The City Controller shall be authorized to publish said notice or a summary thereof in the Indianapolis Commercial, published in the City of Indianapolis, Indiana, and in The Bond Buyer, published in the City and State of New York. The City Controller shall be authorized to make such additional publication as he shall deem advisable. The date fixed for the sale shall not be earlier than seven (7) days after the last of said publications. The bond sale notice shall state the time and place of sale, the total amount of bonds, the maximum rate of interest thereon, the maturities thereof, the purpose for which the bonds are being issued, the terms and conditions upon which bids will be received and the sale made, and shall set out such other information as the City Controller, acting on the advice of the City Attorney and bond counsel, shall deem necessary. All bids for said bonds shall be sealed and shall be presented to the City Controller at his office. Bidders shall be required to bid for all of the bonds and to name the rate or rates of interest which the bonds are to bear, not exceeding the maximum rate hereinbefore fixed. Such interest or rates shall be in multiples of one-eighth (1/8) or one-tenth (1/10) of one per cent (1%), and not more than four (4) different interest rates shall be named by each bidder. A rate may be repeated with- out constituting a different rate. Bids specifying two or more interest rates shall also specify the amount and maturities of the bonds bearing each rate, but all bonds maturing on the same date shall bear the same rate. Each bid shall be accompanied by a certified or cashier's check, payable to the City of Fort Wayne, in the amount of Twenty-five Thousand Dollars (\$25,000), as a guarantee of good faith. In the event the success- ful bidder shall fail or refuse to accept delivery of said bonds in accordance with his bid and the notice of sale, then said check and the proceeds thereof shall be the property of the City as its agreed liquidated damages. The City Controller shall award the bonds to the highest qualified bidder. The highest bidder shall be the one who offers the lowest net interest cost to the City, to be determined by computing the total inter- est on all of the bonds to their maturities and deducting therefrom the premium bid, if any. No bid for less than the par value of said bonds, including interest accrued to the date of delivery, shall be considered. The City Controller shall have the right to reject any and all bids. In the event no acceptable bid is re- ceived at the time fixed in said notice for the sale of said bonds, the City Controller shall be authorized to continue to receive bids from day to day thereafter for a period of not to exceed thirty (30) days with- out readvertisement; provided, however, that if said sale be continued, no bid shall be accepted which is lower than the highest bid received at the time fixed for said sale in the bond sale notice. Prior to the delivery of said bonds the City Controller shall obtain a legal opinion as to the validity of the bonds from

100.1

Ice Miller Donadio & Ryan, bond counsel of Indianapolis, acting as bond counsel for the City, and shall furnish such opinion to the purchaser of the bonds. The fee of such bond counsel and all other incidental expenses incurred in connection with the issuance of the bonds authorized by this ordinance shall be paid out of the proceeds of said bonds.

Sec. 8. In the event it shall be hereafter determined that it is not necessary to issue all of the bonds authorized by this ordinance, or the Public Service Commission shall not approve the issuance of said total amount of bonds, the City Controller shall be authorized to sell and deliver a lesser amount of bonds than herein authorized, in which case the bonds not sold or delivered shall be of the last maturity or maturities.

The bonds herein authorized, when fully paid for and delivered to the purchaser, shall be the binding and special revenue obligations of the City, payable out of the income and revenues of the waterworks system of said City according to their tenor and effect, and the proceeds derived from the sale of said bonds shall be and are hereby set aside for the purpose of paying the cost of construction and installation of the aforesaid extensions and additions to said waterworks and the expense necessarily incurred in connection with the issuance and sale of the bonds. The proper officers of the City are hereby directed to draw all proper and necessary warrants, and to do all acts and things which may be necessary to carry out the provisions of this ordinance.

Sec. 9. Any accrued interest and any premium received at the time of the delivery of the bonds shall be deposited in the Bond and Interest Redemption Account hereinbefore referred to. The remaining proceeds from the sale of the bonds shall, upon receipt, be deposited in a bank or banks which are legally designated and qualified depositories for the funds of the City, in a special account or accounts to be designated as "City of Fort Wayne, 1975 Waterworks Construcion Account." The funds in each of such special accounts shall be deposited, securited, and held, or invested as provided by the laws of the State of Indiana relating to the depositing, securing and holding, or investing of public funds. The funds in such special account or accounts and any income derived from the investment thereof shall be expended only for the purpose of paying the cost of the extensions and additions to said waterworks as herein authorized, the incidental expenses incurred in connection therewith and with the issuance of bonds, including legal fees, and for the payment of interest accruing on the bonds during the period of construction, if required for that purpose. Any balance or balances remaining unexpended in such special account or accounts after the completion of the work, which are not required to meet unpaid obligations incurred in connection with the construction of the work, shall be deposited in the Bond and Interest Redemption Account within sixty (60) days after completion of the project.

Sec. 10. The City shall keep proper books of records and accounts, separate from all of its other records and accounts, in which complete and correct entries shall be made showing all revenues collected from said waterworks and deposited in the special accounts hereinbefore established and all disbursements made therefrom and all transactions relating to said waterworks. There shall be prepared and furnished to the original purchaser of the bonds, and, upon written request, to any holder of the bonds, not more than sixty (60) days after the close of each annual fiscal period, operating and income statements and balance sheets of the waterworks, in reasonable detail, covering such annual fiscal period, together with a statement of the balance as of the close of such fiscal year in each of the accounts hereinbefore referred to in this ordinance, which statements shall be prepared by an independent certified public accountant. Such annual statements shall also include a statement as to the number of customers of the water works at the close of said fiscal year, and the number at the end of the preceeding year, and comments of said accountant relative to the manner in which the City has carried out the requirements of this ordinance and any other ordinances authorizing then outstanding bonds. The fees or charges of such accountant shall be deemed to be a cost of operation and maintenance of the waterworks. Copies of all such statements and reports shall at all times be kept on file in the Office of the City Controller. Any holder of the bonds shall have the right at all reasonable times to inspect the waterworks and the records, accounts and data of the City relating thereto. Such inspections may be made by representatives duly authorized by written instrument.

SECTION 11. The City shall, to the fullest extent permitted by law, establish, maintain and collect reasonable and just rates and charges for the services and facilities afforded by said waterworks which will provide revenues at least sufficient to pay the reasonable and proper cost of the maintenance and operation of the waterworks, to provide a proper and reasonable depreciation account, and to pay the principal of and interest on all bonds payable from the revenues of the waterworks as the same become due, and provide a surplus or margin of ten per cent (10%) of the principal and interest due each year, which shall be cumulative. So long as any of the bonds herein authorized are outstanding, none of the facilities and services afforded by said waterworks shall be furnished without a reasonable and just charge being made therefore. The reasonable value of any facility or service rendered to the City, or to any department, agency or instrumentality thereof, including the use of water for hydrants for fire protection or for any other purpose, shall be charged against the City and shall be paid for as the charges accrue, and the revenues so received shall be deemed to be revenues derived from the operation of the waterworks and shall be used and accounted for in the same manner as other revenues derived from the operation of the waterworks.

SECTION 12. The City reserves the right to authorize and issue additional bonds, payable out of the revenues of the waterworks, ranking on a parity with the bonds authorized by this ordinance, for the purpose of financing the cost of future construction, additions, extensions and improvements to the waterworks, or the refunding of bonds payable from the revenues of the waterworks, subject to the following conditions:

(a) The interest on and principal of all bonds payable from the revenues of the waterworks shall have been paid to date in accordance with the terms thereof, and all required payments into the Bond and Interest Redemption Account have been made in accordance with the provisions of this ordinance.

(b) (1) The amount of gross revenues of the waterworks allocated by Sec. 3 (c) of this ordinance to and deposited in the Bond, and Interest Redemption Account in the calendar year immediately preceding the issuance of any such additional parity bonds shall be not less than one hundred twenty-five per cent (25%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued, during the life of said outstanding bonds; or

(2) Prior to the issuance of said parity bonds, the proportion of the gross revenue allocated to said Bond and Interest Redemption Account shall be increased sufficiently so that said increased proportion applied to the previous calendar year's gross revenues would have produced revenues in said Bond and Interest Redemption Account for said year equal to not less than one hundred twenty-five per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued, during the life of said outstanding bonds; or

(3) Prior to the issuance of said parity bonds, the water rates and charges shall be increased sufficiently and the proportion of gross revenues allocated to said Bond and Interest Redemption Account increased sufficiently so that said increased water rates and charges applied to the previous calendar year's operations would have produced gross revenues in an amount so that the proportion allocated to said Bond and Interest Redemption Account for said year would have equaled not less than one hundred twenty-five per cent (125%) of the maximum annual interest and principal requirements of the then outstanding bonds and the additional parity bonds proposed to be issued, during the life of said outstanding bonds.

For the purpose of this subsection, the records of the waterworks shall be analyzed and all showings shall be prepared by an independent certified public accountant employed by the City for that purpose, which accountant shall certify that he has no pecuniary interest in the waterworks improvements thereto other than in the making of said analysis and the preparation of said showings.

(c) The principal of the additional parity bonds shall be payable annually on January 1 and the interest semi-annually on January 1 and July 1 in the years in which principal and interest are payable.

(d) To the extent required by law, the issuance of the proposed additional parity bonds and any necessary increase in water rates and charges shall have been approved by the Public Service Commission of Indiana, or such successor body, if any, as may be vested by law with authority to approve the issuance of bonds payable from the revenues of municipal waterworks and increases in rates and charges for the services afforded thereby.

Parity bonds may also be issued to refund less than all of the then outstanding bonds issued pursuant to this ordinance or ranking, on a parity therewith, but any such refunding bonds shall be subject to the conditions in this section unless the bonds being refunded mature within three (3) months of the date of such refunding and no other funds are available to pay such maturing bonds. In computing the maximum annual interest and principal requirements pursuant to subsection (b), the interest on and principal of the refunding bonds shall be substituted for the interest on the principal of the bonds being refunded.

Sec. 13. For the purpose of further safeguarding the interests of the holders of the bonds, it is specifically provided as follows:

(a) All construction contracts shall be let to responsible contractors who shall be required to furnish construction bonds in an amount equal to one hundred per cent (100%) of the amount of such contracts, to insure the completion of such contracts in accordance with their terms, and such contractors shall be required to carry such employer's liability and public liability insurance as are required under the laws of the State of Indiana in the case of public contracts.

(b) The extensions and additions shall be contracted for and constructed to the approval of the Engineering department of the City's waterworks. All estimates for work done and material furnished shall first be checked by the Engineering Department of the City's waterworks before being approved by the City.

(c) The City shall, at all times, maintain said waterworks in good condition and operate the same in an efficient manner and at a reasonable cost.

(d) So long as any of the bonds herein authorized are outstanding, the City shall maintain insurance on the insurable parts of the waterworks of a kind and in an amount such as is usually carried by private companies engaged in a similar type of business. All insurance shall be placed with responsible insurance companies qualified to do business in the State of Indiana, and any insurance proceeds collected shall be used in replacing the property destroyed or damaged, or if not needed for that purpose, shall be placed in the Depreciation Account.

(e) So long as any of the bonds herein authorized are outstanding, the City shall not mortgage, pledge or otherwise encumber its waterworks or any part thereof, and shall not sell, lease or otherwise dispose of any portion thereof except such equipment which may become worn out or obsolete, and shall be replaced; nor shall the City, except as provided in Sec. 12 hereof, execute or issue any additional bonds or other obligations pledging any portion of the revenues of said waterworks unless the same be made subordinate and junior in all respects to the bonds heretofore issued and the bonds herein authorized, or unless all of the bonds herein authorized are redeemed and cancelled coincidentally with the delivery of such additional bonds or other obligations, or the bonds have been duly called for redemption and funds sufficient to effect such redemption are available and set aside at the place of redemption at the time of issuance of such additional bonds.

(f) The provisions of this ordinance shall be construed to create a trust in the proceeds derived from the sale of the bonds herein authorized, for the uses and purposes herein set forth, and so long as any of said bonds are outstanding, the provisions of this ordinance shall also be construed to create a trust in the fixed proportion of the revenues of the waterworks herein directed to be set apart and paid into the Bond and Interest Redemption Account for the used and purposes of said account as in this ordinance set forth.

(g) The provisions of this ordinance shall constitute a contract by and between the City of Fort Wayne and the holders of the bonds herein authorized, all of the terms of which shall be enforceable in law or in equity, and after the issuance of the bonds this ordinance shall not be repealed or amended in any respect which will adversely affect the rights and interests of the holders of said bonds, nor shall the Common Council of the City adopt any law, ordinance or resolution in any way adversely affecting the rights of such holders so long as any of the bonds or the interest thereon remain unpaid. The holders of the bonds shall have all of the rights, remedies and privileges, either expressly set forth in the provisions of IC 1971, 19-3-17, and the laws amendatory thereof and supplemental thereto, or implied therein, including the right to compel the collection of sufficient rates and charges to provide for the payment of the bonds issued hereunder and the interest hereunder and the interest thereon.

(h) None of the provisions of this ordinance shall be construed as requiring the expenditure of any funds of the City derived from any sources other than the proceeds of said bonds and the revenues derived from the operation of said waterworks system, and said bonds shall not in any respect constitute general obligations of the City in its corporate capacity. Sums paid and to be paid by the City to its waterworks as hydrant rental and for water furnished shall be deemed to be payments by the City for services rendered. The revenues so received by the waterworks shall be deemed revenues derived from the operation of the waterworks.

Sec. 14. Subject to the terms and provisions contained in this section, and not otherwise, the holders of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the bonds issued pursuant to this ordinance and then outstanding shall have the right from time to time, anything contained in this ordinance to the contrary notwithstanding, to consent to and approve the adoption by the Common Council of the City of Fort Wayne of such ordinance or ordinances supplemental hereto, as shall be deemed necessary or desirable by the City of Fort Wayne for the purpose of modifying, altering, amending, adding to or rescinding in any particular any of the terms or provisions contained in this ordinance, or in any supplemental ordinance; provided, however, that nothing herein contained shall permit or be construed as permitting:

- (a) An extension of the maturity of the principal of or interest on any bond issued pursuant to this ordinance; or
- (b) A reduction in the principal amount of any bond or the redemption premium or the rate of interest thereon; or
- (c) The creation of a lien upon or a pledge of the revenues of the waterworks ranking prior to the pledge thereof created by this ordinance; or
- (d) A preference or priority of any bond or bonds issued pursuant to this ordinance over any other bond or bonds issued pursuant to the provisions of this ordinance; or
- (e) A reduction in the aggregate principal amount of the bonds required for consent to such supplemental ordinance.

The holders of not less than sixty-six and two-thirds per cent (66-2/3%) in aggregate principal amount of the bonds outstanding at the time of adoption of such supplemental ordinance shall have consented to and approved the adoption thereof by written instrument to be maintained on file in the office of the City Clerk of the City of Fort Wayne. No holder of any bond issued pursuant to this ordinance shall have any right to object to the adoption of such supplemental ordinance or to object to any of the terms and provisions contained therein or the operation thereof, or in any manner to question the propriety of the adoption thereof, or to enjoin or restrain the Common Council of the City of Fort Wayne from adopting the same, or from taking any action pursuant to the provisions thereof. Upon the adoption of any supplemental ordinance pursuant to the provisions of this section, this ordinance shall be, and shall be deemed, modified and amended in accordance therewith, and the respective rights, duties and obligations under this ordinance of the City of Fort Wayne and all holders of bonds issued pursuant to the provisions of this ordinance then outstanding, shall thereafter be determined exercised and enforced in accordance with this ordinance, subject in all respects to such modifications and amendments. Notwithstanding anything contained in the foregoing provisions of this ordinance, the rights and obligations of the City and of the holders of the bonds authorized by this ordinance, or any supplemental ordinance, may be modified or altered in any respect with the consent of the City of Fort Wayne and the consent of the holders of all the bonds issued pursuant to this ordinance then outstanding.

Sec. 15. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that none of the provisions of this ordinance shall be so construed as to repeal or modify the provisions of General Ordinances No. 2357 and 2454, so as to affect adversely the rights, interests or priorities of the holders of the outstanding revenue bonds issued pursuant to said ordinances.

Sec. 16. This Ordinance shall be in full force and effect from and after its passage.

Paul M. Burns
Councilman

SUSPENSION OF RULES

BILL NO. G-74-12-35

Councilman Burns, moved to suspend the rules on passage of BILL NO. G-74-12-35, at this meeting of December 27, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and General ORDINANCE was accordingly placed on its passage.

DATE: 12-27-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Hinga, ~~KXXXX~~ Nuckols, Moses, V. Schmidt, Stier, Talarico

1005
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-40-74.

ATTEST:

(SEAL)

DATE: 12-27-74

Charles W. Westerman
City Clerk

Concurred in
Date 12-27-74 Charles W. Westerman, City Clerk

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven:
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Kraus, D. Schmidt

Date: 12-27-74

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Ordinance No. G-40-74 on the 27th day of December, 1974.

ATTEST:
Charles W. Westerman
City Clerk

(SEAL)

Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1974, at the hour of 6:0'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1974, at the hour of 8:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

G-74-12-36

ORDINANCE NO. G-41-74

AN ORDINANCE amending General Ordinance No. G-30-68 establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, and repealing all ordinances or parts of ordinances in conflict therewith

WHEREAS, the Common Council of the City of Fort Wayne has authorized the making of extensions and additions to the existing waterworks system of said City for the purpose of providing an adequate water supply of desirable quality and at proper pressure to the users of the City's waterworks and property protecting the health, well-being and property of said City and its inhabitants and water users; and

WHEREAS, in order to procure the necessary funds to pay the cost of construction and installation of said extensions and additions, it is necessary for the City to issue and sell waterworks revenue bonds payable solely out of the revenues of said waterworks system, which revenues under the existing schedule of rates and charges are insufficient to enable the City to finance the needed extensions and additions; and

WHEREAS, the Common Council now finds that the existing rates and charges for the use of and service rendered by the waterworks of said City are too low and are insufficient to enable the City to properly operate its waterworks plant, provide for depreciation, and finance said extensions and additions; that the proposed extensions and additions will improve the service rendered by said waterworks system and make the same of greater value to the City, its inhabitants and water users, and that the existing rates and charges should be increased; now therefore.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That Section 1 of General Ordinance No. G-30-68, entitled "An Ordinance establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, and repealing all ordinances or parts of ordinances in conflict therewith," adopted August 27, 1968, be and same is hereby amended to read as follows: Section 1. That there shall be and hereby are established for the use of and the service rendered by the waterworks system of the City of Fort Wayne and following rates and charges based on the use of water supplied by said waterworks system:

(a) Metered Rates Per Month		Rate Per 100 Cubic Feet	
First	500 Cubic feet	\$.590
Next	1,500 Cubic feet		.455
Next	2,500 Cubic feet		.380
Next	7,500 Cubic feet		.350

Next 18,000 cubic feet	\$.300
Next 20,000 cubic feet	.255
Next 50,000 cubic feet	.225
Next 50,000 cubic feet	.180
Over 150,000 cubic feet	.165

(b) Minimum Charges

Each user shall pay a minimum monthly charge based on the size of meter installed, for which the user will be entitled to the quantity of water set out in the metered schedule of rates.

<u>Size of Meter</u>	<u>Per Month</u>
5/8 inch	\$ 2.95
3/4 inch	4.60
1 inch	7.50
1-1/2 inch	14.95
2 inch	23.00
3 inch	46.00
4 inch	76.55
6 inch	145.45

(c) Municipal Service to the City of Fort Wayne

For each fire hydrant - per annum \$98.00

(d) Fire Protection Service - For Use in Extinguishing Fire Only

For each fire hydrant per annum	\$ 98.00
For fire service from 2 inch line or smaller per annum	65.00
For fire service from 3 inch line per annum	98.00

- (e) All charges for service to customers situated outside the corporate limits of the City of Fort Wayne having availability for all of the foregoing tariffs shall be one hundred thirty - five per cent (135%) of the charges computed by application of the foregoing tariffs.

(f) Collection or Deferred Payment Charge

All bills for water services not paid within fifteen (15) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payment charge of 10% on the first \$3.00 and 3% on the excess over \$3.00.

SEC. 2. Utility rates and regulations for water services shall be determined from time to time as the need may occur by the Board of Public Works of the City of Fort Wayne.

SEC. 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Public Service Commission of Indiana, and until such time as the order of said new rates and charges shall direct.

SEC. 4. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Public Service Commission of Indiana, or until such time as said Commission shall direct.

Paul M. Burns
Councilman

SUSPENSION OF RULES

BILL NO. G-74-12-36

Councilman Burns, moved to suspend the rules on passage of BILL NO. G-74-12-36, at this meeting of December 27, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman Hinga, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and General ORDINANCE was accordingly placed on its passage.

DATE: 12-27-74

Samuel J. Talarico
Presiding Officer

Charles W. Westerman
City Clerk

AYES: Seven
Burns, Hinga, Nuckols, Moses, V. Schmidt, Stier, Talarico
NAYS: None
ABSENT: Two
Kraus, D. Schmidt,

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-41-74

ATTEST

(SEAL)

DATE: 12-27-74
CONCURRED IN DATE 12-27-74 CHARLES W. WESTERMAN, CITY CLERK

Charles W. Westerman
City Clerk

Read the third time in full and on motion by Burns, seconded by Hinga, and duly adopted, placed on its passage. Passed by the following vote:

AYES: Seven
Burns, Hinga, Moses, Nuckols, V. Schmidt, Stier, Talarico
NYAS: None
ABSENT: Two
Kraus, D. Schmidt

DATE: 12-27-74

Charles W. Westermna
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-41-74 on the 27th day of December, 1974.

ATTEST
Charles W. Westerman
City Clerk

(SEAL)
Samuel J. Talarico
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of December, 1974, at the hour of 6:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 27th day of December, 1974, at the hour of 8:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff
Mayor

To Order a Duplicate of This Book

Send This Number

4888

71

WE HAVE A FULL
DESCRIPTION ON FILE

William A. Didier & Sons, Inc.

COUNTY AND COMMERCIAL PRINTERS
613-641 HIGH STREET
FORT WAYNE, INDIANA

